

# TOWN OF DERRY



**ANNUAL REPORT  
FISCAL YEAR ENDING  
JUNE 30, 2019**







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FISCAL YEAR ENDING  
JUNE 30, 2019**





# **TOWN OFFICERS**

## ***July 1, 2018 – June 30, 2019***

### **Town Council (3 Years)**

#### ***Chair***

***Neil F. Wetherbee – 2020***

#### ***Councilors at Large***

**Joshua R. Bourdon (2017-2020)**

**Phyllis M. Katsakiores (2018-2021)**

**James P. Morgan (2019-2022)**

#### ***Councilor District #1***

**Richard P. Tripp (2018-2021)**

#### ***Councilor District #3***

**Neil F. Wetherbee - (2017-2020)**

#### ***Councilor District #2***

**Charles H. Foote (2019-2022)**

#### ***Councilor District #4***

**Brian K. Chirichiello (2019-2020)**

### **Town Clerk (3 Years)**

**Daniel R. Healey (2019 -2022)**

### **Town Moderator (2 Years)**

**Mary Till (2018-2020)**

### **Supervisors of the Checklist (6 Years)**

**Dina Bourassa (2020)**

**Patricia Dowling (2024)**

**Judy Strakalaitis (2022)**

### **Trustees of Trust Funds (3 Years)**

**Vacant (2020)**

**Jeffrey Moulton (2021)**

**Joan Crimlisk (2022)**

# TOWN OFFICERS

July 1, 2018 - June 30, 2019

Town Council (3 years)

Chair

W. A. Williams - 2018

Committee on Finance

John W. Williams (2018-2021)

John W. Williams (2018-2021)

John W. Williams (2018-2021)

Committee on Planning

John W. Williams (2018-2021)

Committee on Public Works

John W. Williams (2018-2021)

Committee on Public Works

John W. Williams (2018-2021)

Committee on Public Works

John W. Williams (2018-2021)

Town Clerk (3 years)

John W. Williams (2018-2021)

Town Administrator (3 years)

John W. Williams (2018-2021)

Representative of the 4th District in House

John W. Williams (2018-2021)

John W. Williams (2018-2021)

John W. Williams (2018-2021)

Representative of the 4th District in House

John W. Williams (2018-2021)

John W. Williams (2018-2021)

John W. Williams (2018-2021)



# **TOWN OFFICERS**

***July 1, 2018 – June 30, 2019***  
(Continued)

## **Derry Public Library Trustees (3 Years)**

**Kristen Mari, Chair (2021)**

**Heather Paradzick, Vice Chair (2020)**

**Pete Marcotte, Co-Treasurer (2021)**

**Caitlin Powers, Co- Treasurer (2022)**

**Elizabeth Greenberg, Secretary (2022)**

**Dorianne Haverty (2020)**

**Valerie Roche (2020)**

**Richard Tripp, Council Liaison**

**Jessica Benson, SAU Liaison**

## **Taylor Library Trustees**

**Donald Kirkland, (2022)**

**Ed Ciano (2020)**

**Kimberly Burke (2022)**

**Jillien Klok (2020)**

**Raymond Fontaine (2021)**

**Jen Thielker, Alternate Member**

**Charles H. Foote, Council Liaison**





# **TOWN DEPARTMENTS**

*July 1, 2018 – June 30, 2019*

## **EXECUTIVE DEPARTMENT**

### **TOWN ADMINISTRATOR**

David R. Caron

### **ECONOMIC DEVELOPMENT**

Beverly Donovan

### **HUMAN RESOURCES**

William Scimone – *retired March 2019*

Lisa Crowley

### **IT/GIS**

Douglas Rathburn  
Manager

### **DERRY CABLE TELEVISION**

Owen Provencher  
Administrator

## **PLANNING DEPARTMENT**

George Sioras, Director

## **FINANCE DEPARTMENT**

Susan A. Hickey, Chief Financial Officer

Dawn Enwright, Tax Collector / Municipal Agent – *retired November 2018*

Diane Mulholland, Tax Collector / Municipal Agent

Monica Hurley, Assessor

Allan Virr, Town Treasurer

## **POLICE DEPARTMENT**

Edward B. Garone, Chief

George Feole, Captain

Vern Thomas, Captain

Robin Bordanaro, Animal Control Officer

## **FIRE DEPARTMENT & EMERGENCY MANAGEMENT**

Michael J. Gagnon, Chief

Scott Jackson, Assistant Chief – *retired February 2019*

James Richardson, Assistant Chief

## **PUBLIC WORKS DEPARTMENT**

Michael A. Fowler, Director

Thomas Carrier, Water/Wastewater Superintendent & Deputy Director

Eric Bodenrader, Parks and Recreation Director

Alan Côté, Superintendent of Operations

Robert Mackey, Code Enforcement

Courtney Provencher, Public Health

# TOWN DEPARTMENTS

July 1, 2018 - June 30, 2019

## EXECUTIVE DEPARTMENT

### TOWN ADMINISTRATION

David B. Cook

### LEGISLATIVE DEPARTMENT

Deputy Mayor

### BUDGET DEPARTMENT

William Thomas - Deputy Mayor

Chief of Staff

### DEPUTY CHIEF OF STAFF

Deputy Mayor

Deputy Mayor

### PLANNING

Deputy Mayor

Deputy Mayor

### PLANNING DEPARTMENT

Deputy Mayor

### FINANCIAL DEPARTMENT

Deputy Mayor

Deputy Mayor

Deputy Mayor

Deputy Mayor

Deputy Mayor

### FINANCIAL DEPARTMENT

Deputy Mayor

Deputy Mayor

Deputy Mayor

Deputy Mayor

### FINANCIAL DEPARTMENT & BUDGET DEPARTMENT

Deputy Mayor

Deputy Mayor

Deputy Mayor

### FINANCIAL DEPARTMENT

Deputy Mayor

Deputy Mayor

Deputy Mayor

Deputy Mayor

Deputy Mayor

Deputy Mayor



# TOWN BOARDS & COMMITTEES

*July 1, 2018 – June 30, 2019*

## CONSERVATION COMMISSION

*Town Council Representative, Neil F. Wetherbee (1 Year)*

### ***Members***

2022 James Degnan, Chair  
2020 Ric Buzzanga, Vice Chair  
2020 Eileen Chabot, Treasurer  
2022 Margie Ives  
2021 William Lowenthal  
2021 Grace Reisdorf  
2021 Robert Spoerl

### ***Alternates***

2021 Paul Dionne  
2021 Justin Mitchell  
2022 Ann Marie Chase  
2022 Vacant

## PLANNING BOARD

*Town Council Representative, Brian K. Chirichiello (1 Year)*

2018 Randy Chase, Town Administrator Representative (1 Year)

### ***Members***

2021 John O'Connor, Chair  
2022 Lori Davison, Vice Chair  
2020 Maya Levin, Secretary  
2020 Frank Bartkiewicz  
2021 Mark Connors  
2022 David McPherson  
2022 Mark Grabowski

### ***Alternates***

2022 Derek Scheer  
2021 David Granese  
2020 James MacEachern

## ZONING BOARD OF ADJUSTMENT

### ***Members***

2021 Lynn Perkins, Chair  
2022 Heather Evans, Vice Chair  
2022 Stephen Coppolo, Secretary  
2020 Michelle Navarro  
2020 Randall Kelley

### ***Alternates***

2022 Donald Burgess  
2022 Allan Virr  
2021 Craig Corbett  
2020 Crystal Morin  
2020 Vacant

## DERRY HOUSING AUTHORITY

*Town Council Representative, Charles Foote (1 Year)*

Melody Ackerman, Executive Director

### ***Members***

2023 Kristy Baillargeon  
2022 Lt. Kathryn Mayes  
2021 David Milz  
2020 Robert DiNozzi  
2019 Jennifer Lague





# TOWN BOARDS & COMMITTEES

*July 1, 2018 – June 30, 2019*

**(Continued)**

## **ECONOMIC DEVELOPMENT ADVISORY COMMITTEE**

*Town Council Representative, Richard Tripp (1 Year)*

### ***Permanent Members***

George Sioras, Planning Director

Beverly Donovan, Coordinator

### ***Members***

2020 Christina Gossell, Chair

2020 Nicholas Del'Etoile

2021 Craig Cunningham John Potucek

2021 Elizabeth Circharo

2022 Rick Metts

2022 Gordon Graham

2022 John Potucek

### ***Alternates***

2021 Scott Graves

2020 Vacant

2022 Eric Stephenson

2022 Michael Lucci

## **HERITAGE COMMISSION**

*Town Council Representative, Phyllis Katsakiores (1 Year)*

### ***Members***

2020 Karen Blandford-Anderson, Chair

2020 Mark Mastromarino

2022 Thomas 'T.J.' Cullinane

2022 Paul Lindemann

### ***Alternates***

2021 Nicole Chalfant

2020 Mary Eisner

2022 Denise Neale

## **HIGHWAY SAFETY COMMITTEE**

### ***Permanent Members***

Alan Cote, Public Works

Chief Edward B. Garone, Police

Chief Michael Gagnon, Fire

Jane Simard, School

### ***Members***

Scott Savard

Walter Deyo

Randall Chase

Ronald Goldthwaite

James Roddy

Jacob Pelletier





# TOWN BOARDS & COMMITTEES

*July 1, 2018 – June 30, 2019*

**(Continued)**

## **NET ZERO TASK FORCE**

*Town Council Representative, Joshua Bourdon (1 Year)*

### ***Members***

2021 Jeff Moulton, Chair  
2020 Craig Lazinsky  
2020 Marius Zainea  
2022 Tom Cardon  
Mike Fowler, Director Public Works  
Dave Granese, Planning Board  
Meg Morse-Barry, Derry School District  
Brewster Bartlett, Pinkerton Academy  
Mary Till, Conservation Commission & Go Green  
Beverly Donovan, Economic Development Advisory Committee  
Vacant, Derry/Londonderry Chamber of Commerce  
Vacant, Derry Business

### ***Alternates***

Bob Mackey, Code Enforcement  
Vacant, Derry/Londonderry Chamber

## **DERRY REDC LOAN REVIEW COMMITTEE**

### ***Members***

2021 Alden Watters, Jr.  
2021 Beverly Donovan  
2020 Vacant  
2020 Laura Fraser  
2020 Lauren Neves

## **SOUTHERN NEW HAMPSHIRE PLANNING COMMISSION**

### ***Members***

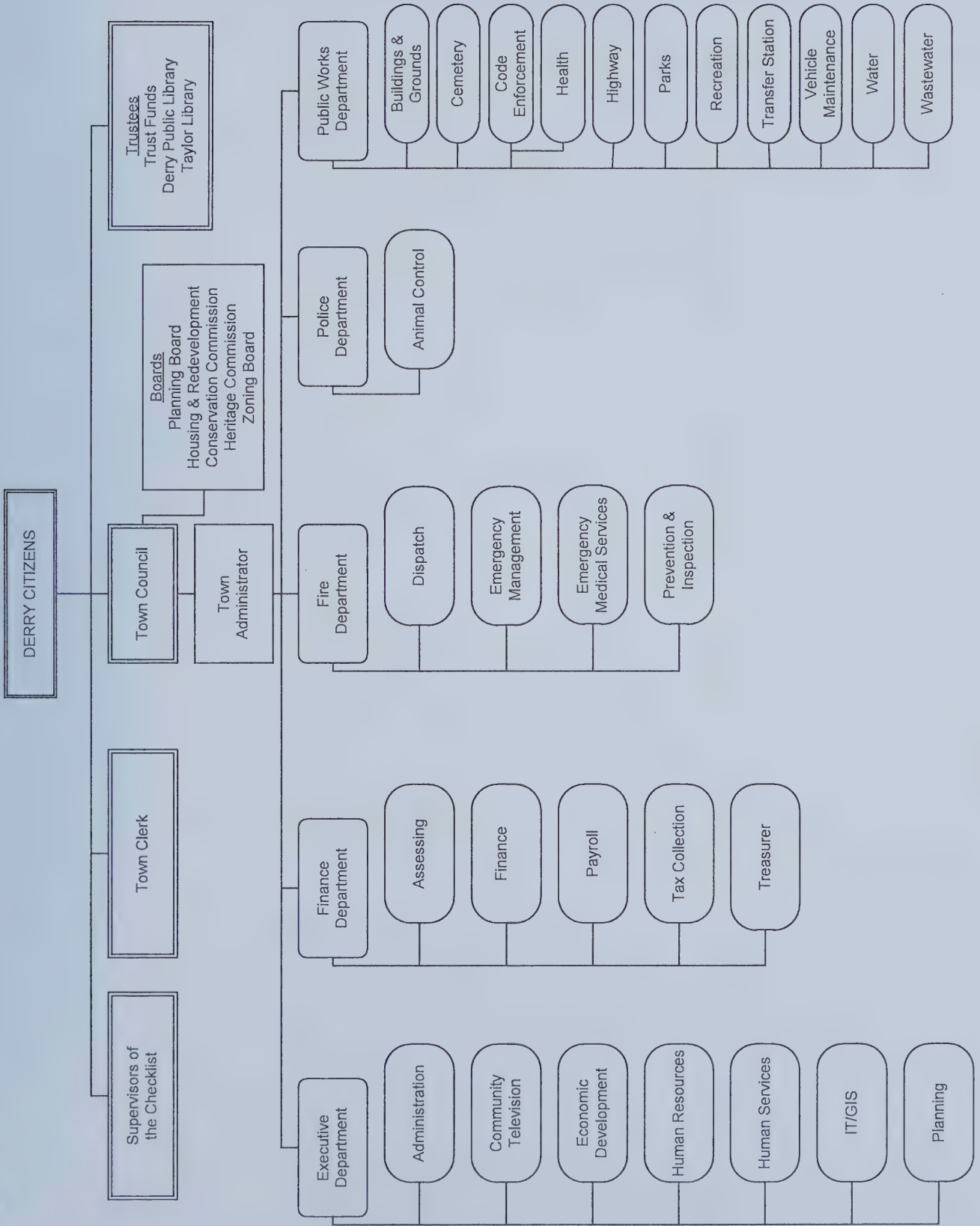
2020 Richard Tripp  
2020 Jeff Moulton  
2020 John O'Connor  
2020 Adam Burch

### ***Alternate***

2020 Vacant









## TOWN OF DERRY DEPARTMENTS & DIVISIONS

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#### **DERRY TOWN CHARTER**





## TOWN COUNCIL CHAIR & TOWN ADMINISTRATOR

We are pleased to present the annual report from the Executive Department. Momentum continues to build to advance community goals and well-being ably supported by the various talents, resources, ideas and innovations provided by Derry's citizenry, its business community and town boards, commissions and staff. We'd like to share just a few opportunities and events which occurred in FY 19:

- Economic Development remained a top priority for the Council in FY19. A number of positive initiatives occurred, all which contributed to the healthy business climate being enjoyed in Derry:
  - The Town Council expanded the former Rte. 28 TIF District to Crystal Avenue and portions of Birch Street, East and West Broadway. Now known as the Derry Commerce Corridor, this action will help connect most of Derry's main business sectors into one cohesive development strategy;
  - \$250,000 was earmarked from the Derry Commerce Corridor TIF Fund Balance for Façade Improvements within the TIF District;
  - Citizens participated in a comprehensive review and visioning of the Downtown, which included Crystal Ave. All input received and information gathered will be considered as the Derry Commerce Corridor TIF Advisory Board works with staff to craft a Development Plan for the Council's consideration.
  - The Town Council approved the first tax-deferred application for a commercial property under construction on Crystal Avenue. This program provides a tax break for a five-year period on renovations of eligible structures and is one of several economic development tools available to help attract and retain businesses in the community.
  - The Town is reviewing the product of a CDBG grant which provides a vision for the redevelopment of Abbott Court; work on this project will continue through FY 20.
- Solar Array – The Town through the Net Zero Committee has solicited proposals to construct a solar array on the closed landfill which would allow the Town purchase power at below market rates for its Wastewater Treatment Plant. The facility will be privately financed and constructed, and the Town will have an opportunity to purchase the project after Year 6 of operations should economics at that time determine that it is cost effective for the Town to do so.
- Financial Condition – The Town issued \$4.02M in bonds to finance the Hood Dam Repair Project, targeted \$1.8M for recreation improvements and \$1.97M for the Exit 4A project. Due to the Town's excellent financial condition, the twenty-year bond sold at a Net Interest Cost of 2.36%.
- Exit 4-A – As noted above, the Town Council issued a bond to fund the remaining portion of its \$5.0M obligation for the Exit 4-A project. Although a majority of the Town's commitment was funded from the operating budget, the final \$1.97M was bonded as the Council believes that future residents who will benefit from this project should participate in its payment. The project's planning and environmental reviews are nearing completion and it is expected that the Federal Highway Administration will be



issuing a permit for construction after the first of the year. The Design-Build project is expected to see construction begin in 2021 with completion in 2023.

- Recreation Facilities – The Town began the process to identify the best opportunities to invest the \$1.8M bond for recreation improvements. The Dept. of Recreation Management and Policy at the University of New Hampshire has been assisting the Town with an independent review of facilities. We expect the report to be completed in Fall, 2019, after which the Council will determine priorities for improvements.
- SNH Water – As first reported last year, The State of New Hampshire has embarked upon an ambitious program to deliver water from Manchester Water Works to communities south of Derry to address various MTBE contamination areas. The Town has reached agreement to transport water through the community to both achieve the project's goals and to generate additional revenues to the Town in future years. The Town will also benefit from an extension of our water system south to the Windham line, and upgrades to pump and other facilities throughout the Town. All of the construction work is funded 100% by the State of New Hampshire.
- Master Plan – The Planning Board, its staff and community members all worked throughout the year to update the Town's Master Plan. This document is intended to guide the Town's development over the next decade, and benefited from input received from many residents, board and committee members, and the business community.
- Derry's 300<sup>th</sup> – Kudos to the Heritage Commission and other community volunteers who planned and executed a number of events celebrating Nutfield's 300<sup>th</sup> birthday as part of the original settlement now shared with Londonderry and Windham.

The Council also approved a FY 20 budget with the resulting property tax impact again conforming to the voter-approved tax cap:

- Recognizing the success of the Rte. 28 Tax Increment Financing District, returned \$15M in Captured Assessed Valuation to help defray town, school and county costs;
- Fully funded year four of the collective bargaining agreements with our employees;
- Positioned the Town to manage future expenses and liabilities as revenue growth forecasts flatten;
- Maintain an effective Capital Improvements Program to ensure that equipment and town facilities are maintained in a safe and efficient manner;
- Provided directed resources to the Downtown and the Derry Commerce Corridor to continue its revitalization;





We'd like to welcome all new employees to our team, including Lisa Crowley, our Human Resources Director and Diane Mulholland, Tax Collector. We bid farewell to a number of employees who have retired during the year, including Assistant Fire Chief Scott Jackson. Lastly, we continue to appreciate the dedication and hard work of our co-workers and board and commission members who work tirelessly advancing the goals to keep Derry safe, productive, vibrant and fun.

Respectfully submitted,

*Neil F. Wetherbee*

Neil F. Wetherbee, Chair  
Town Council

*David R. Caron*

David R. Caron  
Town Administrator



## DERRY COMMUNITY ACCESS MEDIA

The Town of Derry's Cable Division is continuing development of its newly established strategy plan. Recent improvement projects and technology upgrades support our commitment to improving operations to respond to the evolving needs of the Town and our Community.

Funded by Cable franchise fees, the mission of Derry Community Access Media is to position Derry as a leader in the PEG (Public, Educational, Government) Access Media space. With that aim in mind, we facilitate interactive programming that informs, educates, entertains, and inspires our community via cablecast, online, on air, and emerging media.

Notable developments in fiscal year 2019 include:

- Updating the Town Meeting Room visual presentation infrastructure including new screens and projection equipment
- Wireless transmission for High Definition video and audio.
- Updated studio audio facilities
- New Podcast production studio
- New website featuring the Happenings Community Calendar
- New streaming capabilities
- Updates to our Emergency Alert System
- Upgrading out production environment with high speed network and production workstations

We feature Town Government meetings and information via cablecast, livestream and video on demand, making this important information accessible to people's homes and electronic devices by leveraging available technology. We promote free speech by providing access to the facilities and skills necessary for community members to create programming.

Derry's Government Access (Comcast CH 17, online, on demand and streamed live) provides the community with an opportunity to stay informed by viewing unedited coverage of its governing boards and committees and airs regularly scheduled Town Council, Planning Board, Zoning Board, and Conservation Commission meetings. We also provide coverage of special workshops, public hearings, budget sessions, and pertinent informational shows.

Recorded government meetings are available through our Video on Demand (VOD) service which is accessible via our webpage: [www.derrynh.org/cable](http://www.derrynh.org/cable). VOD provides access to local government meetings at a time that is convenient for viewers (internet access is required).

Our public access channel (Comcast Channel 23) increases community awareness, adds to the social cultural and creative development of the community while encouraging local pride. Programs produced by residents, organizations and staff members provide a glimpse of what is happening in our neighborhood. This includes presentations at the Derry Public Library, Derry Parks and Recreation, partnerships with residents, non-profits, Pinkerton Academy and features special events around town. You are encouraged to submit ideas and create new shows. Just reach out to us on our website [www.derrynh.org/Cable](http://www.derrynh.org/Cable).





We partner with Town departments and community leaders to create programming that allow our audience to see services are available to them as members of the community.

Through continued community outreach efforts, we have established positive relationships with the local press, the Derry Public Library, Taylor Library, Derry Parks and Recreation, economic Development, the Greater Derry/Londonderry Chamber of Commerce, Pinkerton Academy, NEXT Charter School as well as area non-profits. We offer students the opportunity to intern at the station and produce broadcast quality shows that air on D23.

Volunteer members are vital to Derry Community Television. We welcome members of the community to visit our studio to learn about what is available to them free of charge. Our staff has developed training programs so members of the community and Town departments can create their own shows. We offer regular free training on camera operation, studio production, lighting, audio, graphics, editing, interviewing techniques, and how to produce a show.

This year continues a pivotal chapter for Derry Community Access Media. The completion of FY19 continues the transformation of Derry's own Media Evolution as we continue capital improvements and operations modification to provide a Media Center the serves Derry.

Building on our strategic plan, we endeavor to seek even more ways to serve the community and add cultural value as we explore more avenues to engage with community partners to highlight and enrich our lifestyle here in Derry.

Community Access funding is generated solely from franchise fees paid by Comcast subscribers, with no fiscal impact to taxpayers. Franchise fees support two stations that operate from the studio at the Municipal Center and the Educational Channel located at Gilbert H. Hood Middle School.

To learn more about Derry Community Access Media, go to our website at [www.derrynh.org/cable](http://www.derrynh.org/cable), email at [cable@derrynh.org](mailto:cable@derrynh.org), or call us at 845-5514. We are located in the lower level of the Derry Municipal Center.

Respectfully submitted,

*Owen Provencher*

Owen Provencher

Station Coordinator

Director, Derry Community Access Media



## ECONOMIC DEVELOPMENT

Welcome to Destination Derry NH! Fiscal Year 2019 was a year of growth for the Town of Derry, as the Town saw the completion of several new projects – notably, the reconstruction of a retail building /construction of office and training center at 23 Crystal Ave., a new Derry Medical building on Tsienneto Rd. and groundbreakings for two new projects on Ashleigh Drive. Several new businesses have filled in vacancies around Town, and many have changed ownership. Several businesses took advantage of the Façade Improvement Grant program to upgrade facilities and add amenities, and the successful program has been expanded into FY 2020, allowing for even more upgrades to local business.

Highlights of the past year include:

- **Retain and Grow Existing Business** – The opening of a new Business Resource Room at the Derry Municipal Center has expanded the facilitation of direct services for the Small Business Administration, SCORE, NH Small Business Development Center and the NH BEA through individual businesses counseling and on a variety of workshops and outreach.. There has been collaboration with NH Economy, and many other agencies, organizations and groups to promote entrepreneurship and small business expansion in Derry.
- **Attract New Business** – Ongoing strategies to promote Derry’s strategic location, available workforce, educational alliances and existing business profile continued throughout the year. Continued marketing through NH Commercial Investment Board of Realtors and participation in local and regional economic development conferences offer many opportunities for sharing the success story of Derry. FY 19 also saw the completion of a 4-part video series based on the stay-work-play attraction of Derry. FY 19 also saw the creation of the IRS Opportunity Zones, which are designed to encourage redevelopment in certain census tracts. Of the 27 NH zones, Derry has one – Tract 003500. Finally, the EDAC and several Business and Citizen volunteers partnered with the UNH Cooperative Extension on a summer-long First Impressions Program to study the perspectives of “outsiders looking in”, which will help inform efforts to make Derry more attractive. A community meeting was held in October to showcase the findings and formulate action items.
- **Plan for Smart Sustainable Growth** – There have been several changes to the Zoning Ordinance this year, most notable the creation of the West Running Brook District





(formerly General Commercial 4), which will enable expanded opportunities and help to define the West Running Brook village. Smaller changes have taken place in downtown business districts to allow for more home-based businesses and to eliminate outdated language. There has also been continued outreach to educational institutions and workforce agencies to ensure that Derry creates and sustains a credentialed, ready workforce to attract employers and meet current needs.

- **Implement Marketing & Communication Plan** – Look for a new Economic Development logo in FY 2020, which will be used on social media platforms, the Economic Development website; marketing materials, etc. We will also be creating more opportunities to engage commercial real estate brokers and prospective businesses. Chamber programming and events offer several opportunities to promote the Town and keep abreast of the concerns of local businesses, as well as cross-promote initiatives and workshops through a variety of organizations and media.
- **Placemaking** -The ad-hoc Public Arts Committee that was created to enhance cultural opportunities and attract business and people to Derry has become an official committee of the Gr. Derry Arts Council, and is working on several placemaking initiatives to further enhance the attractiveness of Derry as a place to live, work and play. As we study generational trends and look forward to implementing the new Master Plan, placemaking continues to be top-of-mind. Of the activities this group has undertaken, the new Downtown Derry Derby Day proved a success in bringing people downtown to explore, learn and appreciate some of what Derry has to offer. We look forward to this being an annual event.

The Planning & Development staff (and in particular, Elizabeth Robidoux), the Economic Development Advisory Committee, and many volunteers and partnerships have been important factors in keeping the momentum going and are an absolute force. Focused ahead to Fiscal 2020, I look forward to seeing several new businesses and projects making #DestinationDerryNH their first choice!

Respectfully submitted,

*Beverly Donovan*

Beverly Donovan  
Economic Development Director



## HUMAN SERVICES DIVISION

Assistance to our most needy residents continued to be managed by Community Health Services on behalf of the Town.

In fiscal year 2019, the Town provided general assistance in the amount of \$45,283 which represents 84 case decisions. Rent and shelter were the greatest area of need fulfilled for our clients, with a total expense of \$37,755, followed by electric at \$3,090. Town funds were expended to assist needy residents with other utilities totaling \$1,246.

The Town of Derry funded the following agencies that provide valuable services to Derry residents: Community Caregivers - \$19,000, Rockingham Community Action - \$10,000, Rockingham Nutrition and Meals on Wheels - \$13,337, Sonshine Soup Kitchen - \$7,500, and Upper Room - \$39,000.

If you or someone you know needs direction on where to apply for services, please call 211 or visit their website at [www.211nh.org](http://www.211nh.org). 2-1-1 NH is a statewide initiative of the United Ways of New Hampshire and an easy-to-remember phone number that connects callers, at no cost, to information about critical health and human services available in their community.

Citizens seeking assistance should contact CHS:

### **Location:**

Greater Derry Community Health Services (CHS)  
14A Tsienneto Road  
3<sup>rd</sup> Floor - suite 301  
**603-425-2545**

Hours of Operation: Monday through Friday: 8:30am — 4:00pm

**Any person in town and in need has the right to apply for general assistance from the Town. The right to apply does not guarantee assistance.**

### **Process:**

- 1) Please call (425-2545) or stop by the CHS office and complete a contact sheet, which includes information on your current need.
- 2) A staff person will go over the application with you and schedule an appointment for an in depth interview and review of submitted materials. Applications must be complete at the time of the interview.
- 3) At your scheduled appointment with a CHS Case Manager, an assessment is made —based on approved Town guidelines — of your ability to meet some or all your stated need.
- 4) In addition, the CHS Case Manager will speak with you about possible other needs you may have.





5) If the review is completed during the first visit, a Notice of Decision is provided detailing whether the request is Granted, Denied or Withdrawn from consideration.

6) If your application requires further information or outreach to property owners, utility, fuel companies or others, the Case Manager will schedule a follow up appointment. Decisions will be placed on hold pending conclusion of the evaluation.

Respectfully submitted,

*David R. Caron*

David R. Caron

Town Administrator



## HUMAN RESOURCES

The Human Resources Department works to ensure that the Town is compliant with all local, state and federal employment rules and regulations. We work diligently to enhance policies and procedures, and to stay current with applicable laws and ensure proper notification and adherence to government and town regulations. We are responsible to provide fair, honest, and consistent treatment to all Employees and Town Officials. We have a responsibility to not only protect the Town and Town Administrator against adverse actions regarding human resources, but to also advocate for all Employees to ensure proper treatment and representation for all. We work closely with Legal Counsel to mitigate employment or personnel issues that may arise and position ourselves as the liaison between the Unions and Town Management. The HR Department also ensures that our personnel and labor union activities are compliant, timely, and effective, supporting the administration of seven union contracts and facilitating dispute resolutions. Employee success and retention, as well as, legal compliance and department collaboration are some of our main goals.

Outside of our employee relations responsibilities, we ensure positions are staffed appropriately, and employees have challenging career opportunities. This past fiscal year, we provided recruiting assistance to Town departments, filling 20 regular full-time and 4 part-time vacancies due to retirements and resignations. We transitioned in to FY20 with 6 vacancies still to fill, all of which were for Police Officers. This continues to be one of our biggest recruiting challenges.

The HR Department also administer drug testing programs, maintains personnel and related records, advises managers regarding employment relationships, promotes a culture of trust and honesty, and assists employees however appropriate. The Department sponsors and facilitates employee safety and wellness activities, relying upon the support and participation of members of the Town Wide Joint Loss Management Committee (safety) and the Employee Engagement Committee (wellness).

Under the direction of the newly hired Director, the HR Department has undergone some re-visioning of its mission and goals to effectively implement improvement plans to enhance the culture of the organization. One of our first tasks was to assemble an Employee Engagement Committee (DEEC), staffed by employees from all departments across the organization. This group is tasked with developing programs and activities, including town-wide community involvement, employee engagement, a volunteer program, and an Ambassador program for FY20.

Here are just a few of the newly implements programs that were developed this year:

- A comprehensive town-wide employee training program for Managers and Staff. These trainings are at no additional cost to the Town.
- A town-wide employee survey to understand the needs, concerns, and sense of its employees, and to understand the current culture of the organization.
- A comprehensive Employee Onboarding Program.
- Monthly Department Head meetings committed to enhance communications with open lines of communications throughout all departments.
- Implementation of a new Employee Newsletter (*The Employee Exchange*)

We look forward to continuing to service our employees and this community in the years to come.

Respectfully submitted,

*Lisa R. Crowley*

Lisa R. Crowley, Director of Human Resources





## INFORMATION TECHNOLOGY

Operations continue normally with the only major project to report on being the switching retrofit at the Derry Police Department. This entailed a complete rewiring and replacement of existing switches that were over ten years and older. This project is now complete.

Our staff helped implement a major upgrade to our Assessing software. This involved a complete from the ground up replacement which involved new hardware and porting existing data from Oracle to MSSQL. The entire process went smoothly without any major interruptions in the assessing department. One major benefit of having the data in the new format is it allows far easier integration with our GIS mapping which is also SQL based.

We continue to implement other features of Office 365, which has been a boon to our users, as everything is accessible from any device when needed regardless of location.

Over 1,109 tickets were fielded this year by the IT staff via our helpdesk portal. Support spans all the departments include Fire and Police. Recent upgrades have expanded the functionality of the software allowing an enhanced user experience and expedited response times from the IT staff.

## GIS

We are currently working on getting ready for our mapping updates in the Spring of 2020 which will update any planimetric features on our maps. We will be flying in April with an expected summer delivery date of the updated features.

We've recently been working to provide GIS layers and data to assist in the SAU's recent analysis and mapping of the Derry school districts. We've also been working with our Economic Development Coordinator, Beverly Donovan, to assist in the mapping of various designated areas such as the recently created Cultural District. We also continue to work on storyboard mapping to further enhance the public user experience.

Most of our GIS work involved providing departments with updated mapping and the tools required to access GIS data quickly and efficiently. Maintenance on all exiting GIS features continue to take up most of our time.

Respectfully Submitted,

*Douglas A. Rathburn*

Douglas A. Rathburn  
IT/GIS Manager



## PLANNING DEPARTMENT

Fiscal Year 2019 activity in the Planning Department continued at a steady pace similar to what the department had begun to see in fiscal year 2018. Both residential and commercial development plans were submitted to the office and construction activity and building was very visible throughout the town. This past year work continued on zoning amendments including revisions to the permitted uses in the commercial and industrial zones, revisions to the sign regulations, increasing the size of accessory dwelling units, definitions, storage facilities, re-zoning of several parcels from residential to commercial in the Central Business District and looking at expanding both the commercial and industrial zones around the proposed I-93 Exit 4A area near the Londonderry town line and Folsom Road and North High Street, and the creation of the new West Running Brook District. A Planning Board subcommittee has been established to review future zoning amendments.

Highlights of development activity in Fiscal Year 2019 included a 32-unit, 2-bedroom, townhouse project, a new Sal's Pizza restaurant, a 32,000 sf car dealership, a Hannaford Supermarket To-Go pick-up service, a new landscaping/nursery business, a for-profit rehab/detox facility, a new 27,000 sf mixed-use project including urgent care, physical therapy, bank, and a spa at 23 Crystal Ave., 2 new restaurants, and several small of retail and commercial businesses and several small single-family residential housing developments.

The department continues our work with the Southern New Hampshire Planning Commission (SNHPC), the Southern New Hampshire Regional Economic Development Corporation (REDC), Greater Derry-Salem Cooperative Alliance for Regional Transportation (CART) as well as the Greater Derry-Londonderry Chamber of Commerce on regional planning, business, and transportation issues. Staff is also working with the SNHPC, the New Hampshire Department of Transportation, and members of the Derry Heritage Commission on the Robert Frost/Old Stage Coach Scenic Byway. The Scenic Byway will celebrate and help protect the historical features, rural character, and the natural and scenic qualities of the five corridor communities (Derry, Atkinson, Hampstead, Chester, Auburn) through which it passes.

This past year staff continued working with three excellent committees that will have a significant impact on future town policies and projects that will benefit the town. Staff has enjoyed and continues to enjoy being a part of these groups which includes the Building & Property Maintenance Committee, the Economic Development Advisory Committee, and the Derry Cooperative School District Facilities Study Committee. The Planning Department also closely interacts with the Economic Development Director and Office on economic development initiatives.

In closing I would like to once again thank the members of the Planning Board for their continued support and assistance with our department particularly with regard to the challenging zoning revisions and we also want to welcome aboard our new members and kudos to our past chairman, David Granese for being an excellent chairman and his and



the board's professionalism; makes our job easier! And we welcome aboard our new Chairman, John O'Connor.

I also want to once again thank and acknowledge the staff in the Code Enforcement, Police, Public Works, Health, and Fire Departments for their cooperation and efforts in making the Technical Review Committee (TRC) process a success and our efforts to be business-friendly and our expedited review of development plans and permitting.

Finally, I would like to once again acknowledge and thank our Planning Assistant, Liz Robidoux, for her excellent staff assistance to both the Planning Director and Planning Board and keeping us on tract and organized as well as her hard work and professionalism. The Planning Department looks forward in continuing to provide professional and prompt service to the Town of Derry and its residents and business community.

Respectfully submitted,

*George H. Sioras*

George H. Sioras  
Planning Director





## ASSESSING

The real estate market in New Hampshire has been consistently increasing since the second quarter of 2016 and is continuing through the end of fiscal year 2019. Between July 1, 2018 and June 30, 2019 Derry had 531 qualified sales, with a median selling price of \$275,000. That compares to the 557 qualified sales in Fiscal Year 2018 that had a median selling price of \$251,000 and remains very strong. This 9.6% increase in the median selling price is consistent with annual increases over the last few years.

As required by State Statute, each year the DRA performs an equalization study of all communities in the State. The DRA's study conducted for 2018 indicated that the Town's overall level of assessed value to market value was 95.4% (for 2017 it was 89.7%). We are projecting the equalization ratio to be slightly less than 90% for 2019. The results of the study for 2019 will not be known until early 2020.

Also, the 2018 DRA's study indicates the coefficient of dispersion (C.O.D.) to be 8.1%. The prior year (2017) was 9.1%. This standard measurement of performance is expected to be less than 20, and a measurement below 10 indicates good proportionality. The last several tax years have been in that range, and we will remain diligent to keep assessments within the State's mandated standards. The C.O.D. measures uniformity and is independent of the level of appraisal (ratio) that permits direct comparisons between various properties (comparable and other properties). Decisions on the needed assessment updates and revaluations consider these statistics.

As part of our annual cycled inspection process, we completed cycled inspections of all residential properties within assessing neighborhood #104 and #107.

During the Town Budget deliberations in March and April of 2018, the necessary funding was approved by the Town Council to continue with the cycled inspection program that will keep our assessment inventory up to date for the upcoming 2019 and 2020 tax years.

The New Hampshire Department of Revenue requires municipalities to perform revaluations (values anew) at least once every five years. These revaluations are performed as full statistical updates. The last full statistical update was completed in 2018. The next full statistical update is scheduled to be completed in 2020.

The Town of Derry has contracted completion of future valuation work, including the revaluation by statistical update in 2020 with Whitney Consulting Group, LLC. Whitney Consulting Group also manages the assessing functions of the town. Stephan Hamilton and Emily Goldstein from Whitney Consulting serve as Assessors for the office. The processes, workflows and coverage is much the same as in the last few years.

The Town's 2019 net taxable valuation as of this report is \$3,209,863,144. When finalized, this figure will be used by DRA to set the 2019 tax rate in October 2019. This year's increase reflects construction from new building permits issued since April 1, 2018, the annual cycled inspection program. There was no of the Town-wide re-assessment update for 2019.

The Town's net taxable valuation, upon which the 2018 tax rate was set, was \$3,173,547,641 with a resulting tax rate of \$26.03/\$1,000 of valuation.



The public can access much of our assessment data on-line. Assessment data is updated monthly and may be viewed at [www.vgsi.com/derrynh](http://www.vgsi.com/derrynh) for the Town of Derry. If you encounter any issues when using this tool, please report them to the Assessing Division as soon as you can. We will address them immediately. We have found that the VISION system is very user friendly and it has easy look up and reporting routines. Also, there is one workstation in the Public Research Area at the Derry Municipal Center next to the Assessor's Office which is available to access this data. Property record cards are printable from the station and on-line. The on-line feature of the system has and will continue to save Assessing time as appraisers, realtors, attorneys, the general public and the various Town departments can easily access the data on-line.

Other on-line features found at [www.derrynh.org](http://www.derrynh.org) are the Town's tax maps and 'Derry GIS' that has search fields that will locate owners, assessment information, abutters lists, the location of town water and sewer lines and many other features. All this information is available to print from your home or office. We also have links on the Assessing portion of the Town's website for all property tax exemptions and Veteran Credit qualifications and application procedures, as well as Current Use and other information.

We encourage taxpayers to review the reverse side of their tax bills for important collection and assessment information, including assistance that is allowed by State Statute that may be available through this office. All applicants must meet various levels of criteria and filing timelines (April 15th) to qualify for many programs offered. If you feel you may qualify or have questions, do not hesitate to contact the Assessing Department at 603-432-6104.

I want to thank the Assessing Staff, Mark Jesionowski and Sue Conroy for their dedication to this office and going out of their way to help taxpayers. You are both truly invaluable to this office.

The Assessing staff and I wish to thank the public and our other Town departments and staff for their continued assistance and cooperation.

Respectfully Submitted,

*Stephan W. Hamilton, CNHA*

Stephan W. Hamilton, CNHA  
Assessor  
Town of Derry  
Whitney Consulting Group, LLC





## FINANCE DEPARTMENT

One of the most important functions of the Finance Department is the development of the annual budget for the next fiscal year. The tax cap used to determine the allowable tax increase was 1.7%. The budget was reviewed in detail by the Town Council; resulting in a projected tax rate of 7.72, which is an increase over the prior year and below the voter approved tax cap. There was an approved use of fund balance for funding overlay, exemptions and tax rate reductions in the amount of \$650,000. While it can be argued that using fund balance to lower the tax rate is not a fiscally prudent decision given it becomes a one-time revenue source, it is anticipated that this amount will be sustainable for the foreseeable future and is a mechanism to return revenues to the taxpayers.

The bond rating for the community was reviewed by Standard & Poor's Investor Services and the Town's rating remains an AA+. While it was anticipated that the rating would increase, the rate remained the same due to strong management environment, good financial policies, stable revenue profile and a strong debt and contingent liability position.

I am fortunate to have a dedicated staff and thank them for their work effort and professionalism. Specifically, I would like to thank Accounting Manager Mark Fleischer and his staff, Payroll and Benefits Administrator Bob McCarthy, Treasurer Allan Virr, Tax Collector Diane Mulholland and her staff, and the Assessing Department: Corcoran Associates, Whitney Consulting, Mark Jesionowski and Sue Conroy.

Separate reports follow for the Assessing and Tax Collection Divisions, providing more details on division operations during the fiscal year.

I look forward to working with the employees, elected officials and residents of the community.

Respectfully submitted,

*Susan A. Hickey*

Susan A. Hickey  
Chief Financial Officer



## TAX INCREMENT FINANCE DISTRICTS

The Town Council has established two separate Tax Increment Finance Districts to encourage economic development in Derry. When a District is established, the property taxes generated within the District at the time of creation continue to fund school, county and town services. Any new tax dollars resulting from development are maintained in a separate fund to pay for infrastructure improvements and municipal operating expenses required to sustain the new development.

The Ash Street District was created in March 2004 to fund public improvements and infrastructure necessary to attract private investment to the Ash Street Corporate Park. The District's Development Plan was later revised to include a contribution to fund the Town's Economic Development Office. The status of District finances is set forth below:

<b>Ash Street Tax Increment Financing District</b>	
<b>FY 19 Financials</b>	
<b>TIF District Revenues and Expenditures</b>	
Property Tax Increments Generated Within the District:	\$ 218,076.00
Debt Service Payments on Ash Street improvements:	\$ (227,205.50)
TIF District contribution to Economic Development Office:	\$ (4,246.00)
Year - End Balance:	\$ (13,375.50)
<b>Outstanding Bond Indebtedness</b>	
Principal:	\$ 230,000.00
Interest:	\$ 3,749.00
Maturity Date:	15-Apr-20
Interest Rate:	1.63%
<b>TIF District Assessment Information</b>	
Valuation of District as of April 1, 2019:	\$ 9,399,600.00
Original Base Valuation of District:	\$ 309,300.00
Captured Assessment Valuation:	\$ 9,090,300.00



The Rte. 28 North TIF District was created in August 2006 primarily to fund infrastructure improvements along Manchester Road which facilitated the development of several commercial properties. The District's Development Plan was later revised to include a contribution to fund the Town's Economic Development Office. The status of District finances is set forth below:

<b>Rte. 28 North Tax Increment Financing District</b>	
<b>FY 19 Financials</b>	
<b>TIF District Revenues and Expenditures</b>	
Property Tax Increments Generated Within the District:	\$ 1,009,559.00
Debt Service Payments on Rte. 28N improvements:	\$ (298,087.50)
TIF District contribution to Economic Development Office:	\$ (10,600.00)
Year - End Balance:	\$ 700,871.50
<b>Outstanding Bond Indebtedness</b>	
Principal:	\$ 2,755,000.00
Interest:	\$ 568,344.00
Maturity Date:	Nov. 15, 2031
Interest Rate:	2.0 - 3.5%
<b>TIF District Assessment Information</b>	
Valuation of District as of April 1, 2019:	\$ 116,255,396.00
Original Base Valuation of District:	\$ 74,172,896.00
Captured Assessment Valuation:	\$ 42,082,500.00

Respectfully submitted,

*David R. Caron*

David R. Caron  
Town Administrator





## TAX COLLECTION DIVISION

The Tax Collector's Office is an integral part of the Town's Finance Department as exhibited by the many transactions processed for the Town residents, including motor vehicle registrations and the collection of revenue for property tax, water and sewer services, and general invoice billings. The office also records and deposits the revenues of all town Departments. Notary Public services are provided to Derry residents at no charge. Each spring the office begins the process of tax liening and deeding of property, as required by state law. The staff works with property owners to educate them on the consequences of falling behind in their property tax payment as well as, educating them on available tax credits and exemptions.

Working as an agent for the State of New Hampshire Department of Safety, we strive to continually improve the services we provide, as the state increases the types of transactions we are allowed to handle locally. The registering of boats for both Derry residents and non-Derry residents allows Derry to obtain the revenues from transactions which once were processed elsewhere.

The acceptance of the credit cards for all transactions at the Tax Collector's windows has provided the ability to accommodate all payment method requests and more fully satisfying the customers experience. The ATM machine located in the lobby continues to benefit those desiring to pay with cash to complete their transactions without leaving the building to secure funds. Online processing of motor vehicle registration renewals, as well as payment of tax, water and sewer services, and general invoice transactions allow the customer to use credit cards and electronic fund transfer to complete their transactions from the comfort of their homes. The ability to complete address change forms online through the town's web page helps ensure correspondence reaches taxpayers in a timely manner.

Motor Vehicle permits issued in FY19 and the revenue from each of the related sources are set forth below:

Motor Vehicle Permits	\$6,238,599
Title Fees	17,244
Municipal Agent Fees	123,915
Boat Registrations	13,401
Transportation Improvement Fees	188,685
Waste Tire Reclamation Fees	<u>108,634</u>
Total	\$6,690,478

We continue to see improvement in the economy, as the Town experienced an increase of \$210,825 in motor vehicle permit revenue, a 3.1% increase over the prior year. The increase in revenue reflects the economic improvement with an increase in purchases of new vehicles. New vehicles have a higher MSRP which results in a higher mil rate charged. These increased numbers of new vehicle registrations are the reason we have an increase in revenue over the



previous year. Municipal Agent transaction fees increased by 1.9% in FY19 supporting a slight increase in the number of registrations. The Town relies on Municipal Agent fees they collect to help cover the administrative costs of providing residents with the state portion of the motor vehicle registration, as well as defray the cost of mailing out courtesy renewal notices and completing online registration renewals. The utilization of the email notification for registration renewal notices has increased, allowing us to send renewal notices to more residents via email. This eco-friendly method of delivering renewal notices reduces the Town's paper and postage expense.

Property tax collection showed an increase of 1.4% collected in 2019 as of June 30, 2019, as compared to the same period for the 2018 fiscal year. However, a portion of that increase is attributable to the decreased amount billed in 2019 compared to 2018. Residents now have the option to pay property taxes with credit cards both at the tax collector's office and online through the town's web site. The additional fees for processing online payments are paid to the web payment processing provider; it is not retained as a fee to the Town. Electronic check payment online can be done for a flat fee of \$1.95.

During the past year the Tax Collection Office said goodbye to Dawn Enwright who had served the Town of Derry for over 6 years as your Tax Collector. She was a great asset for the Town of Derry and will be greatly missed. As your new Tax Collector, I hope to be able to continue serving the Town of Derry as well as Dawn. We also welcome Cherie Fuller as a new part-time employee who replaced Kristina Jeanty this summer, as Kristina went to work for the Town of Londonderry. Cherie's friendly disposition is a great asset for our department. Our seasoned Customer Service Assistants; Kathi Malloy, Norma Graceffa, Lori Holmes and Lynn Trahan have embraced the department addition with ease and enthusiasm. This full tax office team works steadily greeting each customer with full attentiveness in addition to accomplishing the workload of the department in a timely manner. The office oversight is headed by me, Diane Mulholland, as the Tax Collector/ Municipal Agent and Stacey Beliveau as the Deputy Tax Collector. We look forward to serving the citizens of Derry in FY20.

The MS-61 Tax Collector's Report for the fiscal year ended June 30, 2019 follows this report.

Respectfully Submitted,

*Diane M. Mulholland*

Diane M. Mulholland

Tax Collector/Municipal Agent







## Tax Collector's Report

For the period beginning  and ending

This form is due **March 1st (Calendar Year) or September 1st (Fiscal Year)**

### Instructions

#### Cover Page

- Specify the period begin and period end dates above
- Select the entity name from the pull down menu (County will automatically populate)
- Enter the year of the report
- Enter the preparer's information

#### For Assistance Please Contact:

NH DRA Municipal and Property Division  
Phone: (603) 230-5090  
Fax: (603) 230-5947  
<http://www.revenue.nh.gov/mun-prop/>

### ENTITY'S INFORMATION

Municipality:  County:  Report Year:

### PREPARER'S INFORMATION

First Name  Last Name   
Street No.  Street Name  Phone Number   
Email (optional)





New Hampshire  
Department of  
Revenue Administration

MS-61

Debits

Uncollected Taxes Beginning of Year	Account	Levy for Year of this Report	Prior Levies (Please Specify Years)		
			Year: 2018	Year: 2017	Year: Prior
Property Taxes	3110		\$5,265,086.12		
Resident Taxes	3180				
Land Use Change Taxes	3120		\$46,850.00		
Yield Taxes	3185				
Excavation Tax	3187				
Other Taxes	3189		\$435,593.62	\$6.65	
Property Tax Credit Balance			(\$267,341.85)		
Other Tax or Charges Credit Balance			(\$12,596.67)		

Taxes Committed This Year	Account	Levy for Year of this Report	Prior Levies	
			2018	
Property Taxes	3110	\$41,869,157.53	\$42,276,198.21	
Resident Taxes	3180			
Land Use Change Taxes	3120	\$135,900.00		
Yield Taxes	3185	\$4,690.50		
Excavation Tax	3187			
Other Taxes	3189	\$4,612,096.87		
Transfer to Tax	#3110		\$28,232.74	

Overpayment Refunds	Account	Levy for Year of this Report	Prior Levies		
			2018	2017	Prior
Property Taxes	3110	\$5,375.65	\$121,187.33	\$4,030.66	
Resident Taxes	3180				
Land Use Change Taxes	3120		\$11.98		
Yield Taxes	3185				
Excavation Tax	3187				
Water/Sewer		\$955.45	\$532.15		
Interest and Penalties on Delinquent Taxes	3190	\$14,344.69	\$116,172.13	\$9,806.29	
Interest and Penalties on Resident Taxes	3190				
Total Debits		\$46,642,520.69	\$48,009,925.76	\$13,843.60	\$0.00





New Hampshire  
Department of  
Revenue Administration

MS-61

Credits

Remitted to Treasurer	Levy for Year of this Report	Prior Levies		
		2018	2017	Prior
Property Taxes	\$35,257,303.37	\$46,459,850.10	\$2,328.51	
Resident Taxes				
Land Use Change Taxes	\$76,700.00	\$22,481.08		
Yield Taxes	\$4,690.50			
Interest (Include Lien Conversion)	\$14,344.69	\$116,172.13	\$9,806.29	
Penalties				
Excavation Tax				
Other Taxes	\$4,028,329.98	\$408,522.82	\$6.30	
Conversion to Lien (Principal Only)		\$891,363.60		
Discounts Allowed				

Re Abatements Made	Levy for Year of this Report	Prior Levies		
		2018	2017	Prior
Property Taxes		\$72,739.66	\$1,702.15	
Resident Taxes				
Land Use Change Taxes				
Yield Taxes				
Excavation Tax				
Other Taxes	\$5,333.49	\$250.63		
Variance	(\$582.02)	(\$892.90)		
Transfer to Tax	\$9,987.94	\$14,847.68		
Current Levy Deeded	\$11,077.06			





**MS-61**

Uncollected Taxes - End of Year # 1080	Levy for Year of this Report	Prior Levies		
		2018	2017	Prior
Property Taxes	\$6,788,792.72	\$2,147.48		
Resident Taxes				
Land Use Change Taxes	\$59,200.00	\$24,380.00		
Yield Taxes				
Excavation Tax				
Other Taxes	\$580,553.25	\$2.05	\$0.35	
Property Tax Credit Balance	(\$182,272.26)	(\$1,938.57)		
Other Tax or Charges Credit Balance	(\$10,938.03)			
<b>Total Credits</b>	<b>\$46,642,520.69</b>	<b>\$48,009,925.76</b>	<b>\$13,843.60</b>	<b>\$0.00</b>

For DRA Use Only	
Total Uncollected Taxes (Account #1080 - All Years)	\$7,259,926.99
Total Unredeemed Liens (Account #1110 - All Years)	\$1,407,406.30





New Hampshire  
Department of  
Revenue Administration

MS-61

Lien Summary

Summary of Debits

	Last Year's Levy	Prior Levies (Please Specify Years)		
		Year: 2017	Year: 2016	Year: prior
Unredeemed Liens Balance - Beginning of Year		\$810,478.71	\$411,427.58	\$263,622.43
Liens Executed During Fiscal Year	\$955,725.77			
Interest & Costs Collected (After Lien Execution)	\$4,773.53	\$58,579.60	\$116,091.52	\$16,264.49
Elderly Deferrals	\$6,590.80	\$9,330.43	\$11,652.03	\$71,574.16
Refunds		\$83.15	\$240.83	
Property Tax Credits		(\$371.54)	(\$331.12)	(\$45.61)
<b>Total Debits</b>	<b>\$967,090.10</b>	<b>\$878,100.35</b>	<b>\$539,080.84</b>	<b>\$351,415.47</b>

Summary of Credits

	Last Year's Levy	Prior Levies		
		2017	2016	prior
Redemptions	\$196,082.28	\$351,867.63	\$339,342.57	\$29,010.92
Elderly Deferrals	\$6,590.80	\$9,330.43	\$11,652.03	\$71,574.16
Interest & Costs Collected (After Lien Execution) #3190	\$4,773.53	\$58,579.60	\$116,091.52	\$16,264.49
Variance	(\$0.88)			
Property Tax Credits	(\$503.35)	(\$4.99)	(\$58.16)	(\$1.05)
Abatements of Unredeemed Liens	\$8,390.52	\$496.30	\$10,236.17	\$1,788.57
Liens Deeded to Municipality	\$23,960.42	\$23,781.47	\$20,904.81	\$28,130.67
Unredeemed Liens Balance - End of Year #1110	\$727,796.78	\$434,049.91	\$40,911.90	\$204,647.71
<b>Total Credits</b>	<b>\$967,090.10</b>	<b>\$878,100.35</b>	<b>\$539,080.84</b>	<b>\$351,415.47</b>

For DRA Use Only

Total Uncollected Taxes (Account #1080 - All Years)	\$7,259,926.99
Total Unredeemed Liens (Account #1110 -All Years)	\$1,407,406.30







New Hampshire  
Department of  
Revenue Administration

MS-61

DERRY (119)

**1. CERTIFY THIS FORM**

Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

Preparer's First Name

Diane

Preparer's Last Name

Mulholland

Date

08/31/2019

**2. SAVE AND EMAIL THIS FORM**

Please save and e-mail the completed PDF form to your Municipal Bureau Advisor.

**3. PRINT, SIGN, AND UPLOAD THIS FORM**

This completed PDF form must be PRINTED, SIGNED, SCANNED, and UPLOADED onto the Municipal Tax Rate Setting Portal (MTRSP) at <http://proptax.org/nh/>. If you have any questions, please contact your Municipal Services Advisor.

**PREPARER'S CERTIFICATION**

Under penalties of perjury, I declare that I have examined the information contained in this form and to the best of my belief it is true, correct and complete.

*Diane M Mulholland*

Preparer's Signature and Title



# TOWN OF DERRY

## Treasurer's Report June 30, 2019

### Citizens Bank

Beginning Balance, July 1, 2018	\$	45,073,134.20
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### Revenue Receipts:

Received from all sources	\$	107,233,532.43		
Interest Earned on Investments	\$	496,949.73		
Total Revenue Receipts			\$	107,730,482.16

### Other Revenues:

Investment Transfers	\$	18,062,000.00		
Trust Funds	\$	1,464,772.00		
Bonds/Bond Anticipation Notes	\$	4,483,288.80		
Total Other Revenues			\$	24,010,060.80

### Disbursements

Council Orders to Pay	\$	51,524,629.69		
Transfer of State Motor Vehicle Fees	\$	2,074,509.32		
Transfer to Trust Funds (net)	\$	1,845,265.67		
Lockbox Fees/invoice cloud	\$	10,632.51		
Investment Transfers Out	\$	25,000,000.00		
School Payment from Taxes	\$	55,369,995.00		
Voided Checks	\$	(487,837.45)		
Electronic Lease and Bond Payments	\$	805,044.79		
NSF Checks & Fees	\$	140,190.72		
Total Disbursements			\$	136,282,430.25

Ending Balance, June 30, 2019	\$	40,531,246.91
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### Other Accounts

Century Bank	Money Market	\$	2,197,720.90
Citizens Bank	Target Account	\$	3,500,000.00
Optima Bank & Trust	ICS	\$	16,360,153.20
Optima Bank & Trust	Target	\$	40,011.00
Citizens Bank	sweep	\$	1,873.62



Total Cash Balance, June 30, 2019

\$ 62,631,005.63

Respectfully submitted

*Allan D. Virr*

Allan D. Virr

Treasurer





## **DERRY BUREAU OF EMERGENCY MANAGEMENT**

The Derry Bureau of Emergency Management (Derry BEM) leads the community effort to prepare the Town of Derry (the Town) to effectively mitigate, prepare for, respond to, and recover from any natural or human-made disaster. Emergency Management assists other town departments in developing contingency emergency plans and maintains a comprehensive all hazards Emergency Operations Plan. This is an on-going activity which involves bolstering of the Emergency Operations Plan (EOP) and developing policies and procedures to support it. The Derry BEM serves as the coordinating agency among town departments and the conduit for communication with the NH Department of Homeland Security/Emergency Management.

Derry BEM maintains an Emergency Operations Center (EOC) which can be opened any day of the week, at any given time. The EOC is equipped with back-up power, computers, state of the art communication equipment and meeting space for emergency management personnel. The EOC has the ability to monitor weather conditions, communicate with the State of New Hampshire EOC, all town departments and area amateur radio operators. The EOC is also capable of broadcasting emergency information to the public through the internet, local cable television, Low Band AM Radio Station 1610, Twitter (@DerryNHBEM) and an interactive automated telephone communication system (Code Red™). Finally, the EOC coordinates resources, monitors conditions, deliver risk communications, provide coordination among Town departments and emergency services, and coordinate emergency shelter openings as required.

During the period from July 1<sup>st</sup>, 2018 through June 30<sup>th</sup>, 2019 the Town experienced no federal disaster declarations. The majority of this year was focused on preparedness activities including internal review of the EOP, supporting active shooter responder training and completing the AM advisory radio system upgrades. Three flashing alert signs have been installed at strategic locations in the community. The first sign is located downtown at the lights of Broadway and Birch St. The second is located at Tsiennto Rd and Crystal Ave. The third is located at the intersection of Island Pond Rd and Warner Hill Rd. These signs alert motorists to tune in to the advisory radio station, 1610 AM, for important community information. Emergency management hopes to install additional signs in the future.

The process of incorporating unmanned aerial vehicles (drones) into emergency response and disaster operations is ongoing. Derry BEM sees drones playing a valuable role in expediting immediate damage assessments following severe weather events as well as roles during certain day-to-day emergency responses. Currently eight members of the Fire Department and eight members of the Police Department hold remote pilot licenses from the Federal Aviation Administration (FAA). The Derry Police Department submitted for and received a Certificate of Authority (COA) from the FAA regulating the operations of small unmanned aircraft systems within the Town.



Over the past year much has been accomplished towards organizing and growing our Community Emergency Response Team (CERT). This includes continuing to recruit and prepare our citizen volunteers to respond in times of disaster. Recently, a Town of Derry resident, Dr. Jay Morris was chosen to officially lead the team as the CERT Coordinator. Dr. Morris has worked closely with Bureau of Emergency Management personnel to develop the team, which is comprised of 35 extremely dedicated town residents. The teams top priorities continue to be preparing for establishing and operating an emergency shelter, in the event of a large-scale disaster and assisting emergency service personnel with wilderness search-and-rescue as well as door-to-door neighborhood canvassing operations. The team has conducted numerous trainings; including shelter operations, wilderness line-searching, first-aid/CPR/Narcan administration, HAM radio operations, Stop-the-Bleed training, Psychological first-aid training and have become certified weather observers for the National Weather Service. Derry CERT members voluntarily participate in town sponsored events, such as the annual Touch-A-Truck event at West Running Brook Middle School and the Derryfest event located at McGregor park. Several of our members recently attended the state-wide Emergency Preparedness Conference held in Manchester. Additionally, the Derry CERT has partnered with the regional hazardous materials team to deploy and staff the teams rehabilitation truck. This truck provides a crucial service to area First Responders by providing warming and cooling services as well as food and drink replenishment. Finally, a CERT text group has been established with the Derry Fire Department Communications Bureau to rapidly notify, communicate with and deploy the team in case of emergency. The team continues to work closely with area partners including the Londonderry CERT (ALERT), the American Red Cross, South-Eastern New Hampshire Hazardous Materials Response Team and Parkland Medical Center. The Derry Bureau of Emergency Management and the Derry CERT are working hard to engage the citizens of Derry, educate them on how to provide for themselves in times of large-scale disaster and preparing them to help their community in times of need. For more information about the team please contact Dr. Jay Morris at (603) 479-4603 / [derrynhcertcoordinator@gmail.com](mailto:derrynhcertcoordinator@gmail.com), Firefighter/Paramedic Todd Donovan at (603) 731-3455 or visit the Town of Derry website, Emergency Management page at <https://www.derrynh.org/cert>.

In Conclusion, thousands of people across the country are affected by disasters each year. The Derry BEM strongly encourages citizens to prepare for disasters. Being prepared for a disaster can reduce anxiety/fear and reduce the impact on you and your family. Citizens should be prepared to be self-sufficient for the first 72 hours following a disaster. Citizens can find valuable emergency preparedness information at [www.ready.gov](http://www.ready.gov).





## **DERRY FIRE DEPARTMENT**

The Derry Fire Department is a full-service fire department that provides emergency services and protection from fire, natural and manmade disasters, and medical emergencies. It provides these services through four integrated and related areas within the Department – Fire, EMS, Emergency Communications, and Emergency Management.

The Derry Fire Department provides fire protection through education, enforcement and suppression activities. We respond from four fire stations located throughout the Town, and from Administrative and Code Enforcement offices located in the Municipal Center.

The Derry Fire Department strives to provide a safe, healthy and pleasant environment in which to work in. We accomplish this with a systematic approach which includes programs of preventative maintenance, replacement of outdated inefficient equipment, new technologies and quality products. This report reflects activities and changes made during FY 2019.

### **TRAINING**

Between July 1, 2018 and June 30, 2019 members of the department participated in 7,002 staff/hours of fire, rescue, prevention, and emergency management training. This averages 108 hours of training per department member and does not include the additional 40 hours of emergency medical training per department member, our staff is required to complete each year. This Fire/Rescue training was delivered using a variety of techniques including on-line training, traditional classroom training, and hands on practical training. Online training was done through Fire Rescue 1 Academy, FEMA, National Fire Academy, and the New Hampshire Fire Academy.

These training hours also include the hours that many members of the department participated in Fire/Rescue training on their own time and without pay through organizations such as the New Hampshire Fire Academy and New Hampshire Fire Officers & Instructors Association.

This year's training has been focused on basic skills and equipment reviews, training on the new Ladder 4, Trench Technical Rescue, boat operations, ice rescue, leadership training, human resource training and active shooter training.

Firefighter Tom Porter with the help of Lieutenant Rick Fisher and Paramedic Dave Deacon constructed a heavy-duty roof ventilation and roof rescue training prop. This prop was constructed by using recycled metal traffic signal poles which were then cut, fabricated and welded into a heavy metal framework. On top the metal frame they built an easy to replace wooden frame with wooden roof panels that can be cut with chain saws, axes and sledgehammers.





Battalion Chief Scott Haggart was able to obtain a grant that allowed members of both the Derry Police Department and Derry Fire Department to conduct planning and receive advanced training on active shooter incidents. The training, Tactical Emergency Casualty Care (TECC) was done through online and traditional classes, combined with patient care simulators and extensive practical drills. This was the second year of the grant.

During the upcoming fiscal year - the training priorities are Driver/Operator Training, advanced driver-operator training from Steven's advanced driving school, strategy and tactics based on pre-fire plans of buildings in Derry, continuous refresher training on basic firefighting and technical rescue skills, professional development and succession planning, cancer awareness and prevention.

For the past fifteen years, BC Jack Webb had been responsible for coordinating Training, Recruiting & Hiring, and Promotions. As of July 1, 2019 BC Webb will focus on personnel and projects while Battalion Chief Shawn Haggart will coordinate Fire/Rescue Training.

## **PERSONNEL**

*During FY19 – member retired or left the Derry Fire Department:*

- Assistant Chief Scott Jackson retired after thirty-three years with the Derry Fire Department. Chief Jackson had a well-earned reputation of being able to do any job or task in the fire department. Recently he coordinated a million-dollar upgrade to the Derry Fire Department's radio system, he modernized and updated the Fire Prevention Bureau, all while learning how to do high-end chain saw carvings while at home. Since retiring AC Jackson with his wife Michelle has traveled around the country do chainsaw carving shows and events.
- Lieutenant Rich Houle retired after over thirty-seven years with the Derry Fire Department. Lt. Houle was a well-regarded fire officer throughout the region who taught many firefighters the skills and tactics needed to rescue other firefighter who might become lost or injured during a fire. Along with retired Firefighter Richard Doherty, Lt. Houle was a Union Leader Hero for rescuing a woman during a fire on Drew Road. Once he retired, Lt. Houle literally was sent out to the pasture. He retired to help his brother-in-law run the farm and the dairy herd at Alvirne High School in Hudson.
- Lieutenant Mechanic William Rutherford retired after twenty years as the mechanic at Derry Fire Department. During his tenure as mechanic he oversaw the modernization of the Derry Fire Fleet. Before working at Derry Fire, Lt. Rutherford had been a long-time truck mechanic with Dobles Chevrolet. He has plans to RV travel the country with his wife and dogs.



*Promoted during FY2019:*

- James Richardson was promoted from Battalion Chief to Assistant Chief. During his career he obtained his Master's in Project Management from Granite State College, and he is an accredited Fire Officer through the Commission on Public Safety Excellence. AC Richardson will oversee the day-to-day operations of the Derry Fire Department and coordinate accreditation.
- Shawn Haggart was promoted from Captain to Battalion Chief. BC Haggart graduated from Plymouth State University in May of 2018 with a Master's in Business, and he will be coordinating Fire, Rescue, and Hazmat Training for the Department. BC Haggart is also a member of the Southeastern New Hampshire Hazardous Materials Mutual Aid District.
- Ryan Bump was promoted from Lieutenant to Captain of the English Range Road Fire Station. Captain Bump is also the Assistant Emergency Management Director for the Town of Derry and coordinates the Derry Citizen's Emergency Response Team (CERT). Captain Bump is also a member of the Southeastern New Hampshire Hazardous Materials Mutual Aid District.
- Robert Marini was promoted to Director of Maintenance. Firefighter Marini is responsible for the maintenance of four fire pumps, two aerial ladders, five ambulances, a rescue truck, a fire tanker, a brush tanker, two brush trucks, two boats, and several utility vehicles and staff vehicles. He also a key member of our apparatus acquisition team.
- Ron Sebastian was promoted from Firefighter/AEMT to Lieutenant. Lieutenant Sebastian is the President of the Derry Firefighters and is well known for his civic activities around town. He grew up in Derry, is a graduate of Pinkerton Academy, has a Bachelor's in Fire Science from Columbia Southern University. Lt. Sebastian resides in Derry with his wife and both of his daughters attend Pinkerton Academy.
- Thomas Beaumont was promoted from Firefighter/Paramedic to Lieutenant. Lieutenant Beaumont has a Bachelor's in Chemistry from Plymouth State College, and he is a volunteer Assistant Fire Chief for the Antrim Fire Department. In addition to his duties with Derry Fire - Lt. Beaumont is an instructor at the New Hampshire Fire Academy and coordinates the Firefighter 1 program at ConVal High School.

*Congratulations to the following members of the Derry Fire Department:*





- Firefighter/Paramedic Todd Donovan was this years VFW Post #1617 Firefighter of the Year. Firefighter/Paramedic Donovan was recognized for making a significant impact on first responders by breaking down barriers surrounding mental health and treatment. Firefighter/Paramedic shares his personal story of struggling with mental illness and how he has persevered with treatment. He has reached over six thousand responders and their families hosting webinars in conjunction with “In Your Own Voice” speaking engagements with the National Association on Mental Illness (NAMI) and was recently nominated to the Board of Directors for the NH Chapter of NAMI. Locally, Todd has been speaking at numerous regional conferences and speaks to all recruits attending the NH Police Academy.

Chief Gagnon stated that he genuinely believes that Todd Donovan will save more lives providing these valuable education sessions for first responders than any EMS provider could save during their careers providing patient care.

- On September 25, 2018 the New Hampshire Fire and EMS Committee of Merit awarded the Derry Fire Department the 2018 Bound Tree EMS Unit of the Year Award; Derry received this competitive award because we strive to be a unique and progressive agency that makes significant impacts in the communities that we serve, through high-quality advanced patient care, innovative public relations and prevention, and exceptional partnerships.

During the same ceremony: Derry Fire Lt. Richard Houle, Private Randall Chase, Assistant Chief Scott Jackson, Battalion Chief Jack Webb, Fire Chief Michael Gagnon, EMS Director Charles Hemeon, and Private Steve Auger received Lifetime Achievement Awards for 30+ years as EMS providers in the State of NH.

*The Derry Fire Department Welcomes the Following New Members:*

- Firefighter/Inspector David Eastman. In his first year Inspector Eastman has demonstrated a passion for fire prevention and fire investigation. He worked full-time for the Bow Fire Department before coming to Derry.
- Firefighter Alex Phillips. Firefighter Phillips grew up in Auburn, is a volunteer Lieutenant on the Auburn Fire Department. Before Derry Fire Department, Firefighter Phillips worked in Community Marketing for Stonyfield Yogurt.
- Firefighter/Paramedic Matthew Tropiano. Paramedic Tropiano is a lateral transfer from the Hooksett Fire Department. Before joining the Fire Service Paramedic Tropiano was a United States Marine who did over 200 combat patrols in Iraq and Afghanistan.





## FACILITIES

In Fiscal Year 2019 - the Derry Fire Department completed several facility projects. These projects were considered based on the following criteria: Code Compliance, Health and Safety, Energy Conservation and Life Cycle.

**The Central Station** is located at 131 East Broadway, just west of the Danforth Traffic Circle. The station is a 10,000 square foot facility, of which 3,000 square feet is living area. It was built and became operational in 1973. The apparatus floor at Central Station is 5900 square feet of un-insulated space. The Station contains living quarters for up to eight crossed trained Firefighter/EMS personnel that are assigned to the station for 24-hour shifts. Daily staffing includes a three to four-member Advanced Life Support (ALS) Engine Company, who are responsible for cross staffing a Rescue Unit/Heavy Rescue Trailers and a Structural Tanker (when staffing allows), a two-member ALS Medic Unit (ambulance) and the Battalion Chief who oversees daily operations and responds in a command vehicle to provide oversight of emergency operations. Members also ensure the operational readiness of a Tower Truck and an additional ALS Medic Unit. Central Station also houses the Emergency Communications Center which is staffed 24/7 dispatching emergency calls for the Towns of Derry, Windham, Chester, Auburn, Southeastern NH Regional Hazardous Materials Team, and coordinate emergency response of the Border Area Mutual Aid District when the Statewide Mobilization Plan is initiated for large scale emergencies.

Central Station had many facility enhancements that were focused on Health & Safety and functionality completed during FY19. The largest project was a significant renovation to the station's gym area. This project included the installation of insulation, new exterior sheathing and an energy efficient mini-split HVAC system. This project was completed by our Town of Derry, Department of Public Works (DPW). Additionally, the apparatus floor area experienced flooding for years due to an aging and inadequate drainage system. This year the roof drainage system was upgraded and re-routed to allow for better drainage control. The apparatus floor flooding has ceased.

Challenges for this station include; it is not possible to insulate the ceiling because the flat roof is not engineered to hold snow loads. The equipment and apparatus must be maintained at constant temperatures to maintain readiness and meet NH Bureau of EMS regulations and State RSA. The call volume, as well as the usual operations, requires the apparatus doors to be opened and closed often. Additionally, the station has an attached trailer which houses an administrative area and sleeping quarters. This portion of the facility is at the end of its useful life cycle and in need of removal or replacement. Furthermore, the station is challenged by a lack of functional storage space for equipment and apparatus. While the station is not ideal - we continue to maintain a strong focus on energy conservation and innovated solutions.



**Island Pond Station** is located at 190 Warner Hill Road. The station is a 5000 square foot facility which was built in 1978. The Station contains living quarters for up to four crossed trained Firefighter/EMS personnel that are assigned to the station for 24-hour shifts. Daily staffing includes a three-person Advanced Life Support (ALS) Engine Company that cross staff an ALS Medic Unit (ambulance), Forestry Tanker, Forestry Unit and a Marine Unit. This Station also houses members and equipment who are responsible for in-house small engine repair on equipment like chainsaws and smaller forest firefighting pumps.

This year at the Island Pond Station – projects included re-piping some of the interior water drainage lines and preparatory-work for an upcoming project to better secure the stations front lobby.

**English Range Road Station** is located at 1 English Range Road. The station is a 4401 square foot facility which was built in 2001. The Station is staffed full time by 4 shifts of 3 personnel cross-staffing Engine 3, Medic 3, and Forestry 3. All personnel are cross trained for fire and medical response. Recent Station inspections and evaluation showed the station was in good working order and appearance.

Station improvements included appliance updating, such as an energy efficient uniform washer and dryer. Our relationship with buildings and grounds has benefited this station with numerous small projects, all of which were completed in a timely manner.

We continued work with the State on the Bypass 28 and English Range Road Intersection upgrade, including widening the lanes, installation of traffic lights, drainage improvements and paving of our driveway all at no additional cost to the Town of Derry.

**Hampstead Road Station** is located at 74 Hampstead Road. The station was built in 1974 as a 3-bay fire station. An addition to the building was added in 1994 to increase the apparatus bay area, the size of the administrative, living quarters, and a training room totaling 6800 square feet. The station is staffed full time by 4 shifts of 3 personnel cross-staffing Ladder 4, Engine 6, Medic 4, Utility 4, and Marine 4. All personnel are cross trained for fire and medical response. This Station also houses a 150kw generator and utility trailer for emergency management.

The Hampstead Road Station hosts most of the Department training due to its central location and spacious training room. This training room is also used to host a multitude of public education classes such as First Aid, Automated Defibrillation, and CPR. The departments self-contained breathing apparatus are also maintained at the Hampstead Road Station.

This was an exciting year for the Hampstead Road Station and the members who are assigned to it - for winning this year's Pride and Ownership Award. The inspections consisted of a detailed assessment of each of the four fire stations. The inspection covered all aspects of facility maintenance that included but were not limited too; organization, cleanliness, security, lighting, modernization, energy conservation, and record keeping.





During FY 19 – preparations were made to purchase and install a new station generator due to the existing generator reaching the end of its useful life cycle.

## **FIRE PREVENTION**

The primary focus of the Fire Prevention Bureau is to help prevent fires and injuries from occurring whenever possible. This is accomplished by providing education to residents, businesses and visitors. Our prevention bureau delivers prevention education in many ways such as during fire safety inspections, visiting the schools, attending events & community outreach programs. If a fire does occur our staff will work to investigate the origin and cause to help prevent future fires from occurring.

The Derry Fire Prevention Bureau works daily to help our citizens Plan, Prepare & Prevent a tragedy from occurring. Yearly - the National Fire Protection Agency announces a theme to partner with local fire departments in delivering their safety message. The 2018 message was to Look, Listen & Learn. We delivered this message to Derry during our Open House event during Fire Prevention week. We had over 500 people attend this popular event where we showed children how to escape a house fire, the dangers that lurk in the average home and how to practice fire safety. Our staff demonstrated some hazards using a live fire prop where a small room was created with average furniture and household items. The prop was set on fire and the crowd was able to witness how a small fire grows and travels up the walls to rapidly spread through the home. The demonstrations wowed the audience, and most were amazed at how fast a fire can spread. The important take away is that working smoke detectors are one of the most important ways to be notified of a fire at the early stages of a fire to afford the occupants a chance to escape quickly. We encourage all to practice fire drills at home and to develop an escape plan with your loved ones.

Last year we also gained a new member, Sparky the Fire Dog! Sparky is the official mascot of the NFPA and is a welcomed addition to the Derry Fire Department. Sparky the Fire Dog has been the mascot of the fire service since 1951. Sparky visits the schools to help deliver our fire prevention message in a way that is fun and educational. Last year Sparky made several visits to the schools to meet the children of Derry. Sparky is a big hit with the kids, maybe your kids came home and spoke about how they met him and the fun they had. Possibly you have seen Sparky around town at events, next time you see him come say hi and take a picture. Sparky loves pictures and meeting new friends!

Fiscal year 2019 was a very busy one for our Fire Prevention Bureau. Our staff conducted 1867 fire safety inspections. These inspections include routine life safety inspections in businesses, apartments, schools and homes. Other inspections we perform are for new businesses, place of assembly permits, gas and oil heating devices to name a few. Our primary mission during inspections is to ensure life safety of occupants using the NH adopted fire codes as referenced to educate the public and to aide in correction if necessary. We work very closely with other town departments to review new businesses that come to town. Our relationship with other town departments helps make the process of a new business coming to Derry a very easy one. We have heard from many that our town process and friendly atmosphere is one of the key reasons





they chose Derry to open a business. Last year our bureau reviewed several plans for new businesses, maybe you have noticed some of the new businesses as you drive around town.

Please like and follow us on the Derry Fire Department Facebook page for some great life saving tips, public service announcements and videos. Please let us help you PLAN, PREPARE & PREVENT a tragedy from happening. Thank you for your support as we enjoy helping to keep our citizens safe.

## **EQUIPMENT AND VEHICLE MAINTENANCE**

During this fiscal year, the Department made a significant fire hose purchase. The department purchased 4,712 feet of replacement fire hose of various sizes. This was necessary to replace fire hose purchased in the 1970's which no longer passed safety standards and testing. Fire hose, ground ladders and aerials are tested on an annual basis.

The Self-Contained Breathing Apparatus (SCBA) program is managed by Capt. Bruno Soucy and Firefighter Scott Bahan. The SCBA is a critical piece of firefighting equipment allowing firefighters to enter dangerous atmospheres which are encountered during building fires, hazardous materials incidents, etc. The SCBA units are approaching end of their service life. The existing SCBA are not compliant with current National Fire Protection Association (NFPA) standards. The SCBA units are inspected, repaired, and tested by two department members who have been trained and certified as SCOTT service technicians. Having certified service technicians reduces unit downtime and helps reduce overall maintenance expenses. The units are no longer under parts warranty and are requiring frequent repair. Over time, this will result in increased maintenance costs. The air packs, cylinders, regulators and facepieces are projected to be replaced in FY 2021. The department will seek funding through the federal "Assistance to Firefighters Grant" to offset the cost to the Town.

Lt. Derek Tunberg manages the Personnel Protective Equipment (PPE) program. This includes structural firefighting ensembles, brush gear, and all allied equipment. Structural firefighting ensembles are replaced every 10 years and each firefighter has two sets. This allows the clothing/equipment to be decontaminated between use in hazardous environments. This helps reduce firefighter exposure to carcinogens. This year - 4 sets of structural firefighting ensembles were purchased for newly hired personnel.

The Vehicle Maintenance Division maintains and repairs all fire department vehicles with intent of providing safe and mission ready emergency response vehicles. The Department employs one full time mechanic. Lt Bill Rutherford, Director of Fleet Maintenance, retired on September 30<sup>th</sup>, 2018 after 20 years of service. Lt Rutherford was replaced by Firefighter Robert Marini. Firefighter Marini has an extensive background in auto repair and has completed fire apparatus technician certifications (F1-F5) through the Emergency Vehicle Technician (EVT) Certification Commission. He also completed several product specific maintenance training programs



through Pierce Manufacturing. The fleet maintenance department performs preventive maintenance and general repairs. Specialty repairs are often completed by contracted vendors.

Two vehicle acquisitions occurred during this annual reporting period. State purchasing contracts and the utilization of a nationwide government-to-government procurement service allowed us to obtain competitive pricing.

The following vehicles were acquired:

- Pierce Enforcer PUC Rescue Pumper (Engine 1)
- Ford F250 Extended Cab Pickup (Utility 3)

With delivery of the new Enforcer Rescue Pumper in August of 2019 the 2011 Velocity Rescue Pumper will be reassigned to Station 2 to reduce its workload. Engine 2 (2005 Pierce Enforcer Pumper) will become a reserve truck. Engine 6 (2000 Pierce Saber Pumper) and a 2002 GMC 2500 utility pickup were decommissioned.

#### **EMERGENCY MEDICAL SERVICES AND AMBULANCE**

The Derry Fire Department is accredited through the Commission on Accreditation of Ambulance Services (CAAS) and is known across the state for emergency medical service excellence. The Derry Fire Department is 1 of only 14 municipal fire departments across the country to successfully complete the accreditation process. For over 30 years, our EMS system has been committed to its core beliefs for how pre-hospital medical care should be provided. Our firefighter/EMS professionals engage in continuous review of their performance in an effort to continuously improve their skills the next time out the door; to be better prepared to address the emergency medical needs of the residents, businesses, and visitors of greater Derry.

The Derry Fire Department successfully completed the process of recertifying and relicensing all EMTs, Advanced EMTs, and Paramedics whose National Registry EMT certifications were due to expire in March 2019. The Director of EMS provided National Continued Competency Programs, Local Option and Individual Continuing Education to on-duty personnel. Each Derry Fire Department EMS provider completes no less than 42 hours of National, Local and Individual Continuing Education each calendar year. EMS education is delivered in the formal classroom setting, high fidelity simulation and on-line distributive education. During fiscal year 2019 - 2646 classroom hours of EMS education was provided.

The Derry Fire Department continues to offer Emergency Care and Safety Institute CPR/AED training free of charge to residents and businesses of greater Derry on the third Wednesday of every month. To date - over 2840 residents have been trained in Emergency Care CPR/AED; last year we certified another 131 CPR/AED providers. In addition to the monthly CPR/AED training, the Department has added opioid overdose training to our monthly trainings. Naloxone





training and New Hampshire Department of Health and Human Service Naloxone opioid overdose kits are available at no cost to attendees.

As a direct result of the local and state opioid crisis - the Derry Fire Department routinely collaborates with local Public Health Partner's such as: Center for Life Management, Community Alliance for Teen Safety, Greater Derry Community Health Services, Parkland Medical Center, and Professional Firefighters of Derry - Local 4392. The Derry Fire Department and our public health partners have to date offered 12 opioid overdose trainings events to the general public and made available Naloxone overdose kits to any resident desiring one. The Naloxone kits were made available by the New Hampshire Department of Health and Human Services (DHHS) - to date over 591 people have attended both community trainings and department sponsored trainings and have received DHHS Naloxone overdose kits.

The professional men and women of the Derry Fire Department are tasked with an incredible responsibility; responding to the emergency medical needs of areas residents, businesses and visitors. We assume this responsibility by upholding standards of professional practice, conduct and education. We pledge to maintain professional competence, striving always for clinical excellence in the delivery of patient care. We are proud to have the opportunity to serve our community and look forward to another year of dedicated and committed service.

#### **COMMUNICATIONS /FIRE ALARM DIVISION**

The Derry Fire Department Communications Division is responsible for dispatching fire and emergency medical services for the Towns of Derry, Auburn, Chester, and Windham. Additionally – the Communications Division provides dispatching, record keeping and support for the Southeastern New Hampshire Hazardous Materials Mutual Aid District and is the Coordination Center for the Southern Tier of the NH Statewide Fire Mobilization Plan. Fire Communications Personnel dispatched a total of 7,755 calls for service during fiscal year 2019. We currently staff a minimum of one dispatcher on duty per shift and have a second dispatcher scheduled during our peak times.

During FY19 - The Communications Division worked to execute phase 4 of a radio replacement program as part of our Department-wide capital improvement plan. Our existing portable and mobile radios are 10-15 years old and are becoming increasingly difficult and expensive to maintain. We purchased Motorola APX portable and mobile radios. This was year 4 of a 5-year implementation plan.

The Communications Division continues to conduct several training initiatives. Each month - Dispatchers participate in several in-service training programs to maintain their skills and proficiency in different areas of responsibility. Further, Dispatchers participate in bi-monthly training meetings where they are required to present training to the other Dispatchers in an educational, didactic, or hands on format. These training initiatives are not only important to the





success of the individual dispatchers but are proven and validated by the successful Quality Assurance/Quality Improvement program and its results.

The Derry Fire Communications Center is one of three Communications Centers in New England to have obtained APCO Agency Training Program Certification for our training program. We are now the only Communications Center in NH to maintain an ongoing Quality Assurance/Quality Improvement program that is modeled after and meets or exceeds nationally recognized QA/QI standards.

The Communications Division is active on social media maintaining Facebook, Twitter, and Instagram accounts as a means to better communicate information to the public and citizens we serve. We also maintain a Twitter account for the Derry Bureau of Emergency Management. We continue to urge citizens to sign up for the Code Red Emergency Notification System to be notified by phone, text, or email in the event of an emergency.

The Derry Fire Department is fortunate to have such a dedicated, talented, and well-trained staff. We look forward to FY20 and beyond.

Respectfully submitted,

*Michael J. Gagnon*

Michael J. Gagnon  
Derry Fire Chief



**Derry Fire Department**  
**Fiscal Year 2019 Statistics**

<b>Fire and Rescue Responses by Type</b>	
Building Fire	19
Vehicle/Heavy Equipment Fire	15
Brush	5
Fires - Other	32
Alarm Activation - No Fire	423
Hazardous Condition	120
Good Intent	408
Service Call	725
Emergency Medical Services	3274
<b>Total Responses</b>	<b>5021</b>

<b>Contracted Ambulance</b>	<b>Responses</b>
EMS Calls for Auburn	277
EMS Calls for Chester	210

<b>Simultaneous Incidents</b>	<b>Occurrences</b>	<b>Total</b>	<b>Simultaneous Incidents</b>
Single Call	2193	2193	N/A
Two Calls Simultaneously	575	1150	1150
Three Calls Simultaneously	213	639	639
Four Calls Simultaneously	81	324	324
Five or More Calls Simultaneously	117	715	715
<b>Totals</b>		<b>5021</b>	<b>2828</b>
			<b>56%</b>

<b>Calls by Day of the Week</b>	
Monday	739
Tuesday	720
Wednesday	766
Thursday	708
Friday	716
Saturday	687
Sunday	685
<b>Total</b>	<b>5021</b>



<b>Mutual/Automatic Aid Given</b>	<b>Incidents</b>
Auburn- Mutual Aid	10
Candia	2
Chester- Mutual Aid	2
Hampstead	19
Hooksett	1
Hudson	5
Lawrence Ma	2
Londonderry	113
Manchester	9
North Andover Ma	1
Pelham	4
Salem	15
Sandown	4
Windham	61
<b>Total</b>	<b>248</b>

<b>Mutual/Automatic Aid Received</b>	<b>Incidents</b>
Auburn	4
Chester	6
Hampstead	4
Hudson	2
Londonderry	57
Manchester	2
Salem	10
Windham	11
Other	4
<b>Total</b>	<b>100</b>

<b>Emergency Calls Dispatched</b>	
Derry	5021
Auburn	508
Chester	417
Windham	1781
Hazmat Team Requests	28
<b>Total</b>	<b>7755</b>





<b>Community Risk Reduction - Public Education</b>		
	<b>Occurrences</b>	<b>Attendees</b>
Educational Facilities	27	823
Fire Station Tours	9	114
Public Safety Programs	17	61
Fire Extinguisher Training	3	72
Fire Station Open House	1	500
Community Outreach	17	697
Events	8	435
Sparky Visits	8	340
Other	18	25
<b>Totals</b>	<b>135</b>	<b>3067</b>

<b>Permits Issued – Plans Review</b>	<b>Occurrences</b>
Outside Burning Permits	2009
Assembly Permits	92
Blasting Permits	1
Gas Piping Permits	291
Gas Burner Permits	258
Oil Burner Permits	78
Building Plans Reviewed	59
Site Plan Review	3
Change of Use Reviews	45
Fire Alarm Plan Review	17
Sprinkler Plan Review	30
Technical Review Meetings	23
<b>Total Permits and Plans Reviewed</b>	<b>2906</b>



<b>Fire Prevention Inspections</b>	<b>Occurrences</b>
Certificate of Occupancy	100
Existing Occupancy	228
Places of Assembly	100
Daycare/Foster Care Facilities	37
Gas Piping – Residential/Commercial	327
Oil Burner	90
Gas Burner	319
Complaint	20
Courtesy	12
Demolition/Abatement	16
Fire Drill	30
Fire Alarm Final Inspection	16
Sprinkler System Final	29
Sprinkler System Rough	16
Suppression System Inspection	7
Response Follow-up	55
Fire Investigations	26
Add/Remove Knox Box	23
Pre-Event	3
Pre-Plan	30
Re-Inspection	113
Rough	8
Service Call	108
Meeting/Site Meeting	119
Other	35
<b>Total Inspections</b>	<b>1867</b>



## **DERRY POLICE DEPARTMENT**

Over the past year, the Police Department has continued recruiting efforts. We are still not at our authorized contingent of officers and are working to fill five vacant patrol officer positions.

Since July of 2018, the Police Department has hired one new officer. Officer Blake Martineau was hired on December 10 of 2018. Officer Martineau completed the NH Police Academy in April of 2019, completed his respective field training assignment, and is now working as a solo patrol officer. Recruitment efforts continue in earnest with a goal of filling remaining vacancies as quickly as we can.

During calendar year 2018 we received 29,933 requests for police service. This number represents an increase from 29,854 the previous year. The total number of crimes reported decreased slightly from 3,339 crime reports to 3,179.

We are continuing the process of policy review and updates with an eye toward compliance with the Commission for Accreditation of Law Enforcement Agencies' nationally recognized accreditation standards. As we move through the next fiscal year and our staffing levels improve, we hope to be able to dedicate additional time to that very important project.

In FY 19 our prescription drug collection efforts resulted in the collection of 300 pounds of prescription drugs at the National Drug Take back events, which are held in April and October of each year. In addition, our collection efforts via our regular drug drop box located in our lobby have resulted in excess of 5,600 pounds of drugs collected since our efforts began in 2013.

This past year we, along with the Fire Department, continued with the project to replace all our aging public safety two-way radio infrastructure. The \$1.6 million-dollar project will provide our public safety personnel with the latest technology to better serve the community and provides redundant interoperability between the two departments. The project has reached the point where radios should be issued to officers in the coming months. This new system will include GPS capabilities, which will allow us to know where each of our officers is with the click of a mouse. This is obviously a significant improvement in officer safety and the ability to manage our personnel.

In FY 19 the department continued with our drone program. The drones have been deployed on several occasions for search and rescue missions, motor vehicle accident scenes, and Swat Team call outs. These drones will continue to assist with crime scene mapping and reconstruction as well as other community relations events.

Our community relations staff participated in the highly successful Touch-A-Truck event this past June, and as in the previous years, the event was a great hit. We disseminated 300 bicycle helmets, which we received through a grant from the New Hampshire Injury Care Center at Dartmouth and Kohls department store, to youngsters after they were personally fitted by our staff. This is an increase from the 200 helmets issued in previous years. During the event, members of the community got a chance to see several of our vehicles and staff up close.

Community Relations staff also conducted another highly attended child passenger seat safety event sponsored by Walmart. This has become a yearly event where trained officers install and inspect car seats for citizens. As part of this process, DPD officers assist with the disposal of expired and/or damaged seats. During the event in September of 2018, there were 23 child safety seat inspections conducted in just a few hours.





As in many years' past, our Community Relations staff coordinated, in conjunction with the American Red Cross, two very successful blood drives. In January of 2019, the Derry Police Department blood drive logged 193 pints of donated blood. In June of 2019, the Derry Police blood drive logged 220 pints of donated blood. Our staff continues to promote these drives and is actively working to plan more in the future.

The Derry Police Department began utilizing social media and activated Facebook and Twitter accounts. These accounts are used as a tool to communicate with the public. Staff keep up with posts to ensure the community is aware of upcoming events, and patrol staff uses the tools to notify the public of emergency issues, such as road closures due to accidents and press releases.

The opioid crisis in New Hampshire has significantly impacted Derry. Our officers responded to 115 overdose emergencies in the last year. This is a decrease from the number of overdoses we responded to in the previous year (124). We have attributed 8 deaths to the use of these drugs during the past fiscal year. This has decreased from 13 deaths in the previous year. We aggressively investigate each incident to determine who provided the drug and intend to hold the seller accountable for providing the drugs through prosecution of the offender.

We continue to train our officers in the use of NARCAN. Our officers have administered the drug 12 times to overdose victims during the past fiscal year.

The number of deaths due to overdose seemed again to decrease during this past fiscal year, which may, again, be related to the public's training and access to NARCAN.

We intermittently staffed our bike patrols for about 16 hours per day, weather and patrol staffing levels permitting. The patrols continue to provide higher visibility within the community and score good marks with merchants. Bicycle patrols gave focus to Town parks where we've seen a significant change in the number of problems experienced there.

We applied for and were awarded NH Highway Safety grants in the amount of approximately \$45,500.00. The grants are intended to reimburse officers' overtime while conducting DWI patrols, Pedestrian Safety patrols, and Speeding/Red Light/Seatbelt Patrols. We were allowed more discretion this year in terms of when patrols were to be conducted thus allowing us to more completely use these funds in supporting Derry initiatives.

During the year we trained all of our staff on Mental Health First Aid. This training was developed to assist police officers and others to note signs indicative of mental health challenges and suicidal ideations during our public contacts. The training gives the officer tools to better assist those experiencing a mental health crisis in getting help.

Derry Police and Derry Fire Departments have worked together to develop a Rescue Task Force (RTF). Additional practical training was conducted during the year allowing us to train all current Derry Firefighters in this type of response. This team can be deployed to enhance life-saving efforts in the event of any emergency event requiring immediate medical care in our community. We are taking the next steps to provide training for Active Scene preparedness for our Fire Department employees to enhance safety at each of their facilities.



We provided comprehensive ALICE (Alert Lockdown Inform Counter Evacuate) and CRASE (Civilian Response to Active Shooter Events) training to all Derry School District staff as well as all Pinkerton Academy staff. This is monumental in getting all our schools standardized with emergency response to any emergency. After this training, we assisted Derry School District in rolling out a Parents' Night overview that provided insight into efforts to enhance student and staff safety.

Detectives provided an Internet Safety presentation to the State PTA at their annual conference. The presentation has become an annual event for the PTA that provides parents and school personnel insight into how students are using technology and social media.

The Animal Control Bureau is working with Salem Animal Rescue League to establish a plan that will allow us to better handle abandoned dogs that are brought to our kennel. This will save money for the town while providing better service to the animal.

Respectfully submitted,  
*Edward B. Garone*  
Edward B. Garone  
Chief of Police



**Derry Police Department  
Offenses Reported  
2008-2018**

<b>Group A Offenses Reported</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
Arson	26	21	24	27	19	14	15	8	5	7	4
Assaults	761	823	889	1012	936	825	885	777	718	704	829
Burglary	143	154	209	218	190	139	109	109	60	45	42
Drugs	128	142	133	137	180	183	302	334	335	346	256
Forgery	21	42	45	56	63	55	56	30	19	28	53
Fraud	160	155	156	183	191	186	264	179	236	225	203
Homicide	0	1	0	1	0	0	0	0	1	0	1
Kidnapping	9	12	3	13	5	12	6	6	4	2	4
Robbery	10	11	19	12	5	5	8	10	8	6	13
Sex Assaults	49	43	47	60	57	55	57	51	44	38	63
Stolen Property	51	44	94	69	103	60	70	60	63	46	19
Theft	620	635	676	725	714	616	630	556	522	380	311
Vandalism	496	537	497	470	365	326	331	230	247	297	255
Vehicle Theft	63	61	51	41	40	34	21	39	37	25	30
Weapons Violations	7	10	11	9	12	10	4	7	8	8	4
<b>Sub Total</b>	<b>2544</b>	<b>2691</b>	<b>2854</b>	<b>3033</b>	<b>2880</b>	<b>2520</b>	<b>2758</b>	<b>2396</b>	<b>2307</b>	<b>2157</b>	<b>2087</b>
<b>Group B Offenses Reported</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>
All Other Offenses	657	660	621	603	642	536	583	512	576	794	692
Bad Checks	13	13	8	8	12	21	23	22	10	7	6
Disorderly Conduct	26	26	20	20	29	43	33	33	22	52	43
DWI	100	93	66	91	108	114	120	96	97	80	119
Family Offenses	27	30	32	15	29	30	36	32	32	38	19
Intoxication	89	86	113	112	69	52	60	57	72	79	62
Liquor Law Violations	125	108	55	80	59	44	48	33	37	46	63
Runaways	102	63	72	80	55	34	12	10	50	56	51
Trespassing	60	28	61	62	48	45	56	32	41	30	37
<b>Sub Total</b>	<b>1199</b>	<b>1107</b>	<b>1048</b>	<b>1071</b>	<b>1051</b>	<b>919</b>	<b>971</b>	<b>827</b>	<b>937</b>	<b>1182</b>	<b>1092</b>
<b>Total Group A and B Offenses</b>	<b>3743</b>	<b>3798</b>	<b>3902</b>	<b>4104</b>	<b>3931</b>	<b>3439</b>	<b>3729</b>	<b>3223</b>	<b>3244</b>	<b>3339</b>	<b>3179</b>





**Derry Police Department  
Other Activity Totals  
2008-2018**

Activity	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Incidents Logged	22163	23438	26273	27365	26264	26490	25207	22042	24316	29854	29933
Arrests & Summonses	1302	1339	1311	1286	1411	1374	1409	1072	1248	1206	1167

Traffic	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
MV Accidents	763	723	708	686	707	741	804	870	892	841	748
Total MV Stops	5942	6703	7253	7828	7251	7635	6104	4170	5982	8942	9175
Summonses	744	831	1186	1054	962	1056	904	505	772	1013	751
Warnings	4974	5491	5786	6489	6119	6445	5118	3648	5134	7856	8130
Parking Tickets	427	342	495	814	836	873	778	392	675	922	736

**ANIMAL CONTROL BUREAU  
Statistics**

	FY 2017	FY 2018	FY 19
TOTAL REVENUE	\$5,520	\$4,373	3,047.20
CALLS FOR SERVICE	662	800	750
DOGS PICKED UP	120	85	76
DOGS RETURNED TO OWNER	114	81	67
DOGS BROUGHT TO SHELTER	6	8	9
LIVESTOCK AT LARGE	16	21	16
WILDLIFE CALLS	69	133	103
WILDLIFE PICKED UP – DEAD	46	49	57
VERBAL WARNINGS ISSUES	82	111	80
NUISANCE ABATEMENTS	91	52	55
COURT SUMMONS	4	6	8
DOG BITES	47	50	65
CRUELTY INVESTIGATIONS	67	62	45
EUTHANIZED	0	0	0



## **PUBLIC WORKS DEPARTMENT**

The Public Works Department provides a wide range of services to the residents we serve. The Department is tasked with providing vital community services such as maintaining the roads during winter, processing solid waste, delivering safe drinking water, treating wastewater, parks and recreation management, engineering and code enforcement. The employees of the Public Works Department are a skilled and professional group who stand ready to provide these services on a daily basis.

The highlights of the Department's divisions are noted below:

### **ENGINEERING**

The Engineering Division provides technical support to a number of DPW divisions. The division reviews and inspects subdivision/site plans, and designs sewer and water system improvements. Division personnel also coordinate with outside agencies including NHDOT and NHDES on various projects.

The Engineering Division monitored construction progress at a number of locations including a new subdivision off Bartlett Road, a new medical office building on Tsienneto Road, two multi-family projects and renovation project at 23 Crystal Avenue.

Division staff assisted the Planning Board through participation in weekly Technical Review Committee (TRC) meetings to review plans in advance of Planning Board hearings.

Several roads were reclaimed and/or overlaid through the pavement management program.

The second phase of the Brady Avenue sewer and water improvement project was completed in FY 19, with final paving completed in June 2019. Division personnel also inspected over 20 individual sewer connections on Brady Avenue.

A number of plans and technical specifications were reviewed as NHDES had fast tracked the construction of a new regional water main connection a source in Manchester through Derry and ultimately to communities south of Derry including Windham, Salem, Atkinson and Plaistow. Derry is slated to receive \$6.1 million in funds from the state for their participation in the regional project.

### **BUILDINGS & GROUNDS DIVISION**

The Building and Grounds Division continued to provide excellent service to the facilities it maintains. In addition to providing regular custodial and maintenance at the Municipal Center, Veteran's Hall, Adams Memorial Building, and the Police Station, the division also assists with some repairs at other municipal facilities.



Major upgrades to municipal facilities included a new generator for Fire Station 4 on Hampstead Rd replacing a very old unit and new twin boilers at the Adams Memorial Building.

The Buildings and Ground Division hired an HVAC Technician to complete work inhouse reducing our reliance on outside contractors. This change resulted in a budget savings, tighter monetary controls and a quicker response to address issues.

### **CEMETERY DIVISION**

The Forest Hill Cemetery is very well groomed and beautiful as ever. Many residents walk the cemetery and take advantage of its park like setting. Residents are reminded to please leave their dogs at home while walking in the cemetery as dogs (with the exception of service dogs) are prohibited from the cemetery. Cremation burials continue to grow in popularity and account for nearly fifty percent of all interments. A total of 75 burials over the past year occurred at Forest Hill Cemetery; 39 full and 36 urns.

Plot owners are reminded to please follow the regulations for the Forest Hill Cemetery regarding the installation of planters, shrubs, and other items in the cemetery. Any questions can be directed to the Public Works Department at 432-6144.

### **CODE ENFORCEMENT**

The Code Enforcement Division experienced a substantial increase in revenues this past year as several large commercial projects began construction. Single family home starts were down slightly from the previous year although the construction on Townhouse style condominiums continued at a steady pace. Overall, permit activity was consistent with the previous year as well as the long-term average and a total of 1185 permits were issued.

The Code Enforcement Division is responsible for plan review and inspection of all types of construction, both residential and commercial. This includes minor projects such as residential decks up to major commercial and industrial buildings and multi-family structures. The Division also handles zoning administration, code compliance and response to resident's complaints. We also handle property maintenance issues and are members of the Property Maintenance Committee.

In addition, the Division oversees the Health Department and works closely with the Health Officer in addressing health related issues that may affect the community.





OFFICE OF THE BUILDING INSPECTOR TOWN OF DERRY, 14 MANNING ST PERMITS				
TYPE OF PERMIT	# ISSUED	COSTS	PERMIT FEE	REINSPECTION
COMMERCIAL	61	9,650,049.36	73,671.37	
DEMOLITION	18	155,750.00	900.00	
ELECTRICAL	446	3,921,910.30	22,516.75	
FAILED & NEW SEPTICS	76		3,800.00	
INDUSTRIAL	0			
MASONRY/CHIMNEYS	11	0.00	350.00	
NEW RESIDENTIAL	32	6,629,744.00	69,754.89	
PLUMBING	170	1,193,837.99	8,294.00	
ADDITIONS/RENOVATIONS	314	32,183,043.09	58,688.07	
SIGNS	37		2,227.24	
UTILITY SHED	0			
WELLS	31		1,085.00	
<b>TOTALS</b>	<b>1185</b>	<b>53,734,344.74</b>	<b>241,287.82</b>	
Total fees for Fiscal Year - \$ 241,287.82				

## HIGHWAY DIVISION

Winter arrived a bit early this year with the first snowstorm depositing 6 inches of snow on November 16, 2018. This winter's total snow accumulation totaled only 51 inches which is well under the 60 inch snowfall average for Derry. Although snowfall totals were not impressive, the frequency of storms was high with 24 events throughout the winter. Many storms came in as freezing rain or ended as freezing rain keeping accumulations down but requiring multiple chloride treatments.

The Highway Division reconstructed the drainage system on Worthley Rd utilizing inhouse equipment and forces. An unplanned replacement of a large culvert crossing on English Range Rd was completed in the fall. This has revealed that corrugated aluminum pipe, considered the material of choice for durability in the 1980's does not have the longevity that was expected. Fortunately, the Public Works Department discontinued the use of corrugated aluminum pipe by the early 1990's and started using HDPE corrugated plastic pipe in its place.

Two additional crosswalk locations were equipped with Rectangular Rapid Flashing Beacons; the bike path crossing on Kendall Pond Rd and East Broadway near the Derry Public Library.

A tax deeded dilapidated building on Kilrea Rd was demolished with inhouse forces which saved the Town the cost of using outside contractors.

Continuing the Town's proactive approach to pavement management, multiple roads were reclaimed, milled, and resurfaced. Brady Ave was completely reclaimed and resurfaced in



conjunction with the installation of a new sewer line and water main. Beacon Hill Rd (portion), Blake Farm Rd, Bonnie Ln, Senter Cove Rd, and Worthley Rd were reclaimed. Ballard Rd (portion), Beacon Hill Rd (portion), Dubeau Dr., East Broadway (portion) High St, Hope Hill Rd, North Shore Rd -Beaver Lake(portion), Overlook Dr. (portion), and Pond Rd (portion) were milled and overlaid. Field Rd, Genoa Dr., Grandview Ave, Lake Ave, Pebble Ln, Rocky Cir, McKinley Ave, Cole Ave, Lake Shore Ave, and Spinnaker Dr. were shimmed and overlaid.

## **PUBLIC HEALTH**

The Town of Derry Public Health promotes and enforces through edification, investigations and inspections all federal, state and local public health and environmental laws and regulations. This includes food service establishments, daycare facilities, and foster care homes; public health hazards, nuisances and complaints; and various public inquires. Local public health services are managed by a part-time Health Officer and a part-time Program Assistant and are funded by fees and tax revenue. The Derry Town Council reviews and develops the local public health ordinance.

### **Food Service Inspections**

The Town of Derry has approximately 179 Food Service Establishments, each of which requires a minimum of two inspections annually. The Derry Health Officer is responsible for these inspections, as well as enforcing the New Hampshire Chapter He-P 2300 Sanitary Production and Distribution of Food, and the U.S. Public Health Service FDA Food Code 2009.

During Fiscal Year 2019, the Derry Public Health Officer:

- Completed all required inspections of Food Service Establishments.
- Responded to Town of Derry food service establishment and/or illness complaints.
- Responded to Town of Derry nuisance complaints.
- Participated in quarterly NH DHHS Food Protection Self-Inspecting meetings.
- Attended a UNH Cooperative Extension Food Safety Processors workshop.
- Completed Retail Validation and Verification of HACCP Plans in Retail Food Establishments through NH DHHS.
- Completed FDA Food Code course training sessions.

### **Resident Health Complaints**

The Derry Health Officer coordinates inspections with the Derry Code Enforcement Director, as well as the Derry Fire Inspector.

During Fiscal Year 2019, the Derry Health Officer:

- Responded to complaints regarding air and water quality, lack of heat and hot water, rodent and insect infestations, mold issues, trash and squalor conditions, and other health related concerns.
- Attended the NH Health Officers Association Workshops.





### **Day Care and Foster Care Inspections**

The Derry Health Officer, as required by the State of New Hampshire, conducts inspections of licensed day care facilities and foster care homes, each approximately once every three years. However, an inspection and possible follow-up inspections are required if a complaint is filed against one of these types of facilities.

### **Mosquito Surveillance and Control Program**

The Derry Town Council annually budgets for activities conducted under the Town's Mosquito Control Program, including larviciding, trapping/testing mosquitoes for infectious diseases, and adulticiding (if necessary). Mosquito spraying is conducted in coordination with the Derry Cooperative School District, Pinkerton Academy, Derry Parks & Recreation, as well as local churches and beekeepers.

## **PARKS & RECREATION DIVISION**

During fiscal year 2019, the Parks & Recreation Division continued to coordinate and offer numerous programs, activities, and services for the residents of the greater Derry area. Attendance and enrollment remained consistent in all programs and at our park locations. The Division continues to restructure and expand programming and services each season. In spring 2019, the T-Ball program was revamped to add instructional and developmental opportunities for three and four year old children, meeting service demand and requests for additional pre-school activities. The Division is in the process of incorporating the same syllabus and structure into the Winter Basketball program as well.

The Division continues to directly facilitate numerous programming, activities, and special events. Attendance at special events, such as the summer concert series, July 4<sup>th</sup> Fireworks, Downtown Trick-or-Treat, Very Derry Holiday, and many others, has significantly increased over the last several years. The Division remains committed to incorporating new programming and services whenever possible.

The Division continued to diligently maintain the numerous park areas, facilities, and fields under its jurisdiction. The Division takes great pride in managing and maintaining all of its facilities and amenities. A great deal of resources and attention remains on ballfield maintenance, striving to make certain that the Town's athletic fields are in excellent condition for our residents.

The Parks & Recreation Division had several workshops with community members and the Town Council on redeveloping, improving, and expanding upon the Town's various park areas, facilities, fields, and other amenities. The result has been a renewed interest amongst the community and the decision to conduct and facilitate a facilities and programming needs/assessment study, which is scheduled to begin in fiscal year 2020.





## **TRANSFER STATION DIVISION**

The Town of Derry offers a full-service drop-off center for trash and a number of recyclable commodities. Transfer Station staff markets these materials for revenues to offset the tax rate. In addition, fees are charged for several items such as construction and demolition debris, refrigerators, mattresses and computer monitors. The Transfer Station is open 6am to 330pm, Tuesdays through Saturdays.

Trash from the Transfer Station is brought to the Covanta incinerator in Haverhill, MA at a cost of \$66 per ton for calendar year 2018 and \$68 per ton for calendar year 2019.

Domestic recycling markets continue to be under severe stress due to more stringent quality control measures instituted by the Chinese government. This policy led to a glut of recycled paper and a depression in prices as a significant amount of the product was being rejected. Fortunately, the product Derry can provide is cleaner than most, allowing it to be accepted by most recycling outlets. Residents are reminded to continue their efforts to properly separate the various products and not to throw plastic bags with recycling products such as cardboard and paper.

Revenues from commodity recycling and user fees were \$640,282 in FY 2019. Revenues from construction and demolition debris fees were again at record highs due to sustained residential building activity and property cleanouts after a property is sold. Other products such as aluminum, scrap metal and cardboard saw improved pricing as the year progressed.

## **VEHICLE MAINTENANCE DIVISION**

The Vehicle Maintenance division is responsible for management of the DPW vehicle fleet. The division works proactively to perform preventative maintenance on the fleet in an effort to lengthen the useable service life of each vehicle. There is a full-service garage where oil changes, safety inspections, and heavy equipment repair are completed.

FY 19 was a busy year for fleet replacement. The Department of Public Works welcomed 10 pieces of equipment/vehicles in FY 19 including a \$261k loader for the Highway division, a Mack 10 wheel dump truck, two (2) RAM 5500 one ton trucks, a trash trailer and five (5) pickup trucks. The capital improvements serve to keep the fleet in good working order by replacing older equipment while minimizing down time due to excessive mechanical failures. Corrosive action from salt exposure continues to negatively impact the fleet.

## **WATER DIVISION**

A wet spring this year resulted in a significant decline in water demand throughout the Derry water systems. Purchased water from Manchester Water Works and well production for our community water systems saw an average decrease of 3.7 %. Retail water sales, however, decreased only slightly from \$1.264 M in FY2018 to \$1.263 M in FY2019 Derry purchased an



average of 1.46 million gallons per day (MGD) of water from Manchester Water Works. Derry's peak bimonthly summer water demand ticked up from 1.83 MGD to 1.95 MGD in FY2019. This continues to remain well below our maximum allocated water capacity of 2.9 MGD leaving ample water supply available for Derry's future growth.

## FY2019 MUNICIPAL WATER STATISTICS

WATER SYSTEM	No. Service Connections		PURCHASED WATER (CORE)/WELL PRODUCTION (CWS) units in gallons		CHANGE FROM PRIOR YEAR	WATER SALES units in gallons		CHANGE FROM PRIOR YEAR	UNBILLED WATER units in gallons	
	FY2018	FY2019	FY2018	FY2019		FY2018	FY2019		FY2018	FY2019
AUTUMN WOODS CWS	29	29	2,184,932	1,928,280	-12%	2,285,349	2,130,745	-7%	-4.6%	-10.5%
RAND-SHEPARD HILL CWS	60	60	5,549,382	4,198,659	-24.3%	5,355,104	4,386,242	-18.1%	3.5%	-4.5%
WILLOW BEND CWS	23	23	1,823,257	1,691,557	-7.2%	1,821,021	1,895,641	4.1%	0.1%	-12.1%
DERRY CORE WATER SYSTEM	4036	4138	539,759,800	521,329,358	-3.4%	487,465,242	489,104,521	0.3%	9.7%	6.2%
TOTALS ALL SYSTEMS	4,148	4,250	549,317,371	529,147,854	-3.7%	496,926,716	497,517,150	0.1%	9.5%	6.0%

### *All Units in Gallons*

Effective September 2018 Manchester Water Works increased Derry's whole purchase water rates by another 2.5% from \$1.11 to \$1.14 per 100 cubic feet. Another 2.5% increase is planned for 2019. Meanwhile Derry's water users did not see any increase in their water bills last year.

In FY2019, Derry worked with the State of New Hampshire and other southern NH communities on a state funded initiative to provide additional drinking water to the towns of Salem, Windham, Atkinson, Hampstead and Plaistow. Manchester Water Works (MWW) will supply water from its existing Water Treatment Plant on Lake Massabesic and from its proposed treatment facility along the Merrimack River to these communities by routing water through Derry's existing water system. This project will include an extension of the Derry water system along Rte. 28 to the Windham town line as well as other Derry water system improvements needed to flow up to 3.13 million gallons per day (MGD) of drinking water into Windham. Not only will all improvements within the Derry water system be paid through a State grant but Derry will receive \$1.00 per 100 cubic feet of water that flows through our system into Windham. Construction will begin in the fall of 2019.

IN FY2019, Derry received final approval from the Public Utilities Commission to extend its water system to service 80 new customers in the Lorden Commons development off Old Derry Road in Londonderry. This project is expected to begin in fall of 2019 as well.

In FY2019, the Frost Cooperative Park on Rockingham Road applied for and received Community Development Block Grant funding to replace the water infrastructure within the park and connect their 30 units to the newly constructed Rockingham Road water line.

Annual maintenance activities included flushing of the distribution system, service and gate valve maintenance, hydrant inspections, cross connection control inspections and booster station repairs.





At the closing of FY19, Derry's Water Systems were in compliance with all EPA primary drinking water quality standards. Copies of the Town's annual Water Quality reports are available to all our customers on the web at <https://www.derrynh.org/waterqualityreports> and at the Department of Public Works. Customers may also request a copy at any time to be mailed to them by calling the Department of Public Works.

## WASTEWATER DIVISION

The Derry Wastewater Treatment Plant accepted an average of 1.8 million gallons per day (MGD) of raw sewage. This included an average of 115,000 gallons per day from the Town of Londonderry. Derry's treatment capacity remains at 3.0 MGD with the third lagoon remaining out of service. The average annual wastewater discharge flows from the Derry Wastewater Treatment Plant to the Merrimack River averaged 1.86 MGD. An increase of 65 new sewer customers as well as an overall usage increase attributed to a 4.3% increase in billed sewer usage in FY19.

### FY2019 MUNICIPAL SEWER STATISTICS

SEWER STATISTICS	FY2016	FY2017	FY2018	FY2019	CHANGE FROM PRIOR YEAR
Average Sewer Influent (MGD)	1.37	1.53	1.6	1.8	12.5%
Total Sewer Influent (MG)	501.4	557.4	581.3	653.7	12.5%
Average Sewer Effluent (MGD)	1.47	1.6	1.64	1.86	13.4%
Total Sewer Effluent (MG)	536.5	576.6	598.1	678.2	13.4%
Number of Sewer Connections	3,116	3,130	3,144	3,209	2.1%
Billed Sewer Usage (MG)	350.3	355.3	345.9	358.4	3.6%
Billed Sewer Usage (MIL \$)	\$ 1.15	\$ 1.21	\$ 1.22	\$ 1.27	4.3%

*MGD = Million Gallons per day*

*MG = Million Gallons*

The Brady Ave. sewer project was completed in FY19. 26 homes have connected to this new sewer line which made public sewer available to 25 properties with aging septic systems. The second phase will be completed in early FY19. Sewer rates remained unchanged in FY18 at \$3.23 per 100 cubic feet.

In FY2019, the Frost Cooperative Park on Rockingham Road applied for and received Community Development Building Grant funding to connect their 30 units to the newly constructed Rockingham Road sewer line.





Derry's WWTP accepted 135,500 gallons of holding tank septic wastes from Derry residents. There are approximately 7,200 properties within the Town of Derry with private onsite septic disposal systems which generate an estimated 2.4 million gallons of raw septage each year.

Maintenance activities continued in FY19 including cleaning and CCTV inspections of sewer pipelines and manholes, cleanouts and air release valves, as well as pump station maintenance and repairs. A detailed report of the division's maintenance work is reported annually to the NH Department of Environmental Services and is available at the DPW offices.

The Wastewater Division continues to comply with all EPA wastewater discharge permit requirements. The Town has reapplied for its NPDES permit with EPA. We are awaiting their response.

Respectfully submitted,

*Michael A. Fowler*

Michael A. Fowler  
Public Works Director



## TOWN CLERK

Being the HUB for questions and directions to anyone who enters or contacts the Municipal Center, the Town Clerk's office is always very busy. Our office provides marriage certificates, vital records, election/voter information, and dog licenses.

Dog renewals are due every year by April 30<sup>th</sup>, please remember to license your dog by this date to avoid paying fees and fines. The dog population in Derry has decreased slightly down to the current population of 5,620. Robin Bordonaro, our Animal Control Officer has been a great help in contacting dog owners with late fees and having them license their dogs. We would like to thank the Police Department for their continued support in allowing Robin to work with us to enforce this law.

The Town Election this year showed a turnout of 1,703, or 7.33% of registered voters. This turnout represents a slight increase from the previous year where we saw 1,181 voters. Jim Morgan was re-elected Councilor at Large, Charlie Foote was re-elected District #2 Councilor, Brian Chirichiello was re-elected District #4 Councilor, Daniel Healey was re-elected Town Clerk and Joan Crimlisk was re-elected Trustee of the Trust Funds. It is just as important to vote in your Town's election as it is to vote in State and Presidential elections.

For every election we have absentee ballots for anyone that cannot make it the polls on the day of the election. The absentee ballots are readily available and easy to obtain from the clerk.

In closing I want to thank Sheila Bodenrader for the support to our office with her role as Clerk Designee to the Derry Town Council.

Respectfully Submitted,

*Daniel R. Healey*

Daniel R. Healey  
Derry Town Clerk



### Town Clerk's Revenue Report

July 1, 2018 - June 30, 2019

Description	Processed	Town	Paid to State of NH
DOGS REGISTERED ONLINE	1,765	*****	*****
DOG LICENSE (Dog Calender: 5/1-4/30 annually these figures reflect fiscal year)	5,620	\$29,049	\$13,352
DOG LICENSE LATE FEES REPLACEMENT TAGS	*****	\$3,872.00	*****
CIVIL FORFEITURES	*****	\$15,775.00	Issued by State Statue
UCC	Issued from State of NH	\$6,645.00	*****
Marriages/Civil Unions	250	\$1,750.00	\$10,750.00
VITAL RECORDS (Birth, Death, Marriage, Divorce)	3,858	\$23,000.00	\$24,855.00
MISC FEES	Late fees, other fees & reimbursements	\$88	*****

#### TOWN OF DERRY RESIDENT VITALS RECORDED

July 1, 2018 - June 30, 2019  
Birth 142 Marriage 122 Death 208

Collected on behalf of: Animal Control Department

Nuisance Abatements	\$1,460.00
Boarding Fees	\$185.00

Collected on behalf of the: Supervisors of the Checklist

Sales of Checklist & Misc.	\$806.00
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OFFICIAL RESULTS  
ANNUAL TOWN ELECTION  
DERRY, NEW HAMPSHIRE  
MARCH 12, 2019

*Daniel Healey*  
TOWN CLERK

<b>COUNCILOR AT LARGE</b> <small>Three Years      Vote for not more than ONE</small> <b>KEVIN COYLE</b> 522 <b>JAMES MORGAN</b> 1075	<b>TRUSTEE OF THE TRUST FUND</b> <small>Three Years      Vote for not more than ONE</small> <b>JOAN CRIMLISK</b> 1223	<b>TRUSTEE OF TAYLOR LIBRARY</b> <small>Three Years      Vote for not more than TWO</small> <b>KIM BURKE</b> 1180 <b>DONALD KIRKLAND</b> 901
<b>TOWN CLERK</b> <small>Three Years      Vote for not more than ONE</small> <b>DANIEL HEALEY</b> 929 <b>DAVID MCPHERSON</b> 496	<b>TRUSTEE OF DERRY PUBLIC LIBRARY</b> <small>Three Years      Vote for not more than TWO</small> <b>JEROMY LEE BROWN</b> 398 <b>ELIZABETH GREENBERG</b> 905 <b>CAITLIN POWERS</b> 869	<b>COUNCILOR DISTRICT 2</b> <small>Three Years      Vote for not more than ONE</small> <b>CHARLES (CHARLIE) FOOTE</b> 454
<b>COUNCILOR DISTRICT 4</b> <small>Three Years      Vote for not more than ONE</small> <b>BRIAN CHIRICHELLO</b> 196 <b>RANDALL KELLEY</b> 110		<b>OFFICIAL RESULTS</b>  Daniel Healey, Town Clerk



## SUPERVISORS OF THE CHECKLIST

### Supervisors

Supervisors of the Checklist are the election officers who register voters and maintain the voter checklist. Supervisors are elected for 6-year terms. Derry's supervisors and the dates our terms expire are:

Dina Bourassa	(term expires March 2020)
Judy Strakalaitis	(term expires March 2022)
Pat Dowling	(term expires March 2024)

### Fiscal Year 2019

The Supervisors of the Checklist provided official voter checklists on 4 dates in FY 2019:

- State Party Primaries (Democratic, Libertarian, Republican) on September 11, 2018
- General election on November 6, 2018
- Derry Cooperative School District deliberative session on February 9, 2019
- Town of Derry and Derry Cooperative School District elections on March 12, 2019

### Political Parties

Voters choose to declare an affiliation with a political party or to be undeclared. New Hampshire currently recognizes two political parties: the Democratic Party and the Republican Party.

In 2018 the state also recognized the Libertarian Party. It lost recognition as a party based on the 2018 general election. The 13 voters in Derry who had been affiliated with the Libertarian Party were notified that they could affiliate with one of the two parties or become undeclared.

### Registered Voters

At the end of FY 2019, Derry had 23,246 registered voters.

### Distribution of Voters by District and Party Affiliation

District	Voters	Democratic	Republican	Undeclared
1	5728	1420	1859	2449
2	6257	1382	2114	2761
3	5634	1348	1841	2445
4	5627	1542	1679	2406
Total	23246	5692	7493	10061

### Where and When to Register

New Hampshire requires in-person voter registration. Residents can register at the polls on election days or in advance up until 10 days before an election. Applications are accepted by the Town Clerk during regular business hours and at sessions of the Supervisors of the Checklist.

Registered voters can submit changes at the polls or in advance with the Town Clerk or Supervisors of the Checklist with one important caveat: Changes in party affiliation are not accepted in the 90 days before a primary under state law. Voters affiliated with a party can change their affiliations after the primary. We encourage voters to check their registration before



the cutoff date, as detailed under “Availability of the Checklist” below.

### **Supervisors Sessions**

Residents may complete voter registration applications with the Town Clerk, but they do not registered voters then. Only the Supervisors of the Checklist can add someone to the voter checklist. The Town Clerk forwards the applications to the Supervisors of the Checklist. The Supervisors can only act on applications when they meet in session. A majority vote of the Supervisors is necessary to add names to the voter checklist.

Sessions are held as required by law and as necessary to approve new registrations and make changes to the voter checklist. Public notice is posted in advance in Town Hall and on the town website ([derrynh.org](http://derrynh.org)). Residents can sign up to receive public notices by e-mail using the Notify Me button on the town's home page.

Election days are Supervisors sessions, which is why people completing registration applications with the Supervisors at the polls can vote that day. The Supervisors are in session and add the new voters to the checklist.

### **Voter Checklist**

The voter checklist contains information that is public record: the names, addresses, and party affiliations of registered voters in Derry. Nonpublic information, such as date of birth, does not appear on the voter checklist. Voter records do not include phone numbers.

### **Availability of the Checklist**

The voter checklist is public record. It can be viewed at the Town Clerk's office during business hours. The Supervisors also post the voter checklist in the Public Research Room on the first floor on the Derry Municipal Center and at the Reference area of the Derry Public Library so residents can view it.

Voters can check their own voter registrations online through the Secretary of State website: <http://sos.nh.gov/VoteInforLook.aspx>. It allows voters to find the contact information for their town clerk, the location and hours of their polling place, check their party affiliation, and track their absentee ballots. Choosing the absentee ballot tracking app provides voters with complete information on their registration (address, party, voting district).

The voter checklist is available for purchase per RSA 654:31. The fee schedule is based on the number of names. The price begins at \$25 and the Derry checklist is generally under \$40.

### **Assistance**

The Supervisors of the Checklist are always willing to assist voters with questions or concerns. Our phone number is (603) 845-5490. Our e-mail address is [checklist@derrynh.org](mailto:checklist@derrynh.org). For immediate assistance, residents can call the Town Clerk at (603)432-6105.

*Respectfully submitted,*

*Judith W. Strakalaitis*

Judith W. Strakalaitis, Chair  
Supervisors of the Checklist





TOWN OF DERRY, NH  
REPORT OF THE TRUSTEES OF TRUST FUNDS  
CAPITAL RESERVE FUND  
FOR YEAR ENDING: 06/30/2019

YEAR TO DATE							
FUND NAME	PURPOSE	DATE OF CREATION	PRINCIPAL NEW FUNDS	PRINCIPAL REALIZED GAINS	PRINCIPAL FEES	PRINCIPAL WITHDRAWALS	INCOME
		Common Investments					
COMPENSATED ABSENCES EXPENDABLE TRUST	Capital Reserve (Other)	6/17/1997	-	3,639.70	(4,314.10)	0.00	74,505.88
DCSD-BUILDING/GROUNDS MAINTENANCE FUND	Maintenance and Repair	3/31/2004	-	188.20	(223.08)	0.00	3,852.56
DERRY LIBRARY CAPITAL IMPROVEMENT FUND	Library	5/6/2003	9,815.00	10.19	(10.11)	0.00	173.80
E-GOVT TECHNOLOGY DEVELOPMENT FUND	Capital Reserve (Other)	4/8/2003	55,500.00	125.95	(112.16)	(70,081.00)	1,922.56
EMERGENCY MANAGEMENT EQUIPMENT FUND	Capital Reserve (Other)	5/16/2006	-	0.01	0.00	0.00	0.22
EXPENDABLE MAINTENANCE TRUST FOR BUILDING & GR	Maintenance and Repair	5/16/2017	217,500.00	364.72	(388.09)	(105,782.94)	6,744.70
FIRE CAPITAL PLAN RESERVE	Police/Fire	6/18/2013	545,750.00	1,835.89	(2,069.85)	(541,755.00)	35,703.53
FIRE FACILITIES & EQUIPMENT FUND	Police/Fire	5/16/2006	-	26.44	(31.34)	0.00	541.17
HAZARDOUS & DILAPIDATED BLDG FUND	Capital Reserve (Other)		25,000.00	25.07	(20.85)	(13,018.00)	356.65
MUNICIPAL TRANSPORTATION IMPR FUND	Capital Reserve (Other)	7/1/2004	169,177.00	100.77	(125.55)	(160,000.00)	2,124.96
PARKS FACILITY FUND	Parks/Recreation	5/25/2004	-	110.44	(130.90)	0.00	2,260.70
POLICE CAPITAL PLAN RESERVE	Police/Fire	6/18/2013	193,000.00	1,180.66	(1,325.66)	(240,193.00)	22,830.88
PUBLIC WORKS CAPITAL PLAN RESERVE	Capital Reserve (Other)	6/18/2013	438,250.00	1,309.60	(1,440.50)	(352,514.00)	24,830.97
TAYLOR LIBRARY	Library	4/12/2001	37,781.00	314.51	(365.28)	0.00	6,304.27
WASTE TIRE RECLAMATION EXPENDABLE TRUST	Capital Reserve (Other)	10/2/1990	108,235.00	563.28	(669.01)	(41,995.00)	11,576.22
WASTE WATER CAPITAL IMPROVEMENTS FUNDS	Capital Reserve (Other)	11/19/1996	37,073.67	539.21	(628.00)	0.00	10,851.19
WASTEWATER COMPENSATED ABSENCES FUND	Capital Reserve (Other)	5/17/2005	10,000.00	44.03	(49.71)	0.00	858.48
WATER COMPENSATED ABSENCES FUND	Capital Reserve (Other)	5/17/2005	10,000.00	44.03	(49.71)	0.00	858.48
WINTER SNOW/ICE CONTROL FUND	Capital Reserve (Other)	6/15/2004	40,168.00	42.30	(38.07)	0.00	663.35
TOTALS			1,897,249.67	10,465.00	(11,991.97)	(1,525,338.94)	206,960.57



**TOWN OF DERRY, NH**  
**REPORT OF THE TRUSTEES OF TRUST FUNDS**  
**COMMON TRUST FUND**  
**FOR YEAR ENDING: 06/30/2019**

YEAR TO DATE								
FUND NAME	PURPOSE	DATE OF CREATION	PRINCIPAL NEW FUNDS	PRINCIPAL REALIZED GAINS	CAPITAL GAINS DIVIDENDS	INCOME	INCOME FEES	INCOME EXPENDED
Arts & Crafts	Common Investments  Library Parks/Recreation Maintenance and Repair Cemetery Trust (Other) Discretionary/Benefit of the Town Scholarship Discretionary/Benefit of the Town Library Flower/Flag Hospital/Health Donation Discretionary/Benefit of the Town Parks/Recreation Library Poor/Indigent Library Cemetery Perpetual Care	1/1/1971	-	26.88	0.96	47.02	(11.50)	(34.64)
Carr Fund		2/6/1962	-	58,292.04	2,073.78	101,921.29	(24,956.49)	(43,456.00)
Charles Adams		1/1/1979	-	580.45	20.65	1,014.90	(248.51)	0.00
East Derry Cemetery		1/1/1876	-	2,876.57	102.34	5,029.54	(1,231.53)	0.00
Edward T. Parker		1/1/1907	-	239.49	8.52	418.74	(102.54)	0.00
Frank Adams		7/23/2004	-	231.31	8.23	404.38	(99.01)	(300.00)
Harold V. Abbott		1/1/1971	-	485.18	17.26	848.34	(207.73)	0.00
Helen Hood		1/1/1959	-	268.68	9.56	469.78	(115.03)	(345.90)
Helen Noyes		1/1/1975	-	26.88	0.96	47.02	(11.50)	(12.00)
Hopkins Home		8/10/1909	-	6,444.81	229.28	11,268.50	(2,759.19)	(8,297.07)
James Alexander		1/1/1898	-	267.64	9.52	467.92	(114.57)	0.00
MacGregor Pioneer Park		4/19/1928	-	5,664.60	201.52	9,904.30	(2,425.17)	(9,000.00)
Sarah MacMurphy		1/1/1923	-	44.60	1.59	77.97	(19.09)	(57.45)
Sylvanus Brown		1/1/1872	-	893.47	31.79	1,562.20	(382.54)	(1,500.00)
Taylor Library		3/24/1981	-	1,414.93	50.34	2,473.98	(605.78)	(1,821.61)
Total General Funds		1/1/1900	17,075.00	44,720.72	1,589.55	78,202.88	(19,143.36)	(55,000.00)
TOTALS			17,075.00	122,478.25	4,355.85	214,158.76	(52,433.54)	(119,824.67)



TOWN OF DERRY, NH

REPORT OF THE TRUSTEES OF TRUST FUNDS

EXPENDABLE TRUST FUND

FOR YEAR ENDING: 06/30/2019

YEAR TO DATE						
FUND NAME	PURPOSE	DATE OF CREATION	PRINCIPAL NEW FUNDS	INCOME	INCOME FEES	INCOME EXPENDED
CBA Implementation Expendable Trust	Common Investments Capital Reserve (Other) Library Library Library Library	8/31/2017	-	5,068.92	(286.00)	0.00
Derry Public Library - Donation Fund		8/31/2017	850.00	76.12	(4.20)	0.00
Taylor Library - Altadena Spofford Bequest		8/31/2017	-	907.69	(51.20)	0.00
Taylor Library - Florence Weston Estate Bequest		8/31/2017	-	669.73	(37.77)	0.00
Taylor Library - Peter C. Moore Estate Bequest		8/31/2017	-	258.26	(14.56)	0.00
<b>TOTALS</b>			<b>850.00</b>	<b>6,980.72</b>	<b>(393.73)</b>	<b>0.00</b>





## **DERRY PUBLIC LIBRARY**

### **Board of Trustees**

At the March 2019 Town Elections Elizabeth Greenberg and Cait Powers were elected to the Board. I would like to thank outgoing Trustee Shannon McKenna for her service to the Library.

The FY19 Board Officers were Chair Kristen Mari, Vice-Chair Heather Paradzick, Secretary Shannon McKenna, and Co-Treasurers Dorianne Haverty and Pete Marcotte.

The Library's liaison was Councilor Richard Tripp and the Board recording secretary was Danielle Mullins.

\*\*\*\*\*

### **Library as Community Space**

In FY19 the Library served Derry residents who borrowed hard copy and digital materials and also those who used our public space to visit with friends, attend programs, go online, submit job applications or complete tests on our public computers, read newspapers, or simply sit in our café area and take advantage of the library wifi.

Nurturing the use of public space in this way is connected to the idea of a "third place" in the community. There's home, there's the workplace, and then there are third places where people of all ages and from all economic and social walks of life can be together in a comfortable setting. The Derry Public Library is not only a library, but a valuable "third place" in the Derry community.

In FY19 we had 132,771 visits (up 9% from FY18) to the building. The Library was open on average 59 hours a week and visited on average *520 times each open day*. Nearly 189,000 items were checked out from the library collection during the fiscal year (up 4% from FY18). Library-sponsored program attendance was up 26% from FY18, with total attendance at 15,639. The Library also partnered with the Derry Fire Department to serve as a warming and cooling station during extreme temperatures and with the Derry Supervisors of the Checklist to offer voter registration during National Voter Registration Month (Sept. 2018).

New initiatives in FY19 were:

- The successful application to become a Family Place Library. This is a national early literacy initiative focused on supporting children ages birth – age 6 and their caregivers.
- Implementing point-of-service credit card payments at the Circulation Desk.
- Full implementation of a Bridge Program for children transitioning from the Children's Room to using the Teen Collection.



- Implementation of a new library website with the capability of online booking of museum passes and online booking of the meeting room.
- Resurfacing of all the shelving in the Children's Room.
- Replacement/upgrading of library security cameras.
- Replacement/upgrading of portions of the library sprinkler system.
- Approval and implementation of DPL's first Employee Code of Conduct.
- Standardization of three-week loan periods for the majority of library materials.

As has been the case for many years, an integral part of the services we offer Derry residents is our membership in the GMILCS Library Consortium. This membership gives Derry residents access, both physically and through the electronic catalog, to the libraries of Amherst, Bedford, Goffstown, Hooksett, Manchester, Merrimack, Milford, Salem, Windham, and New England College/New Hampshire Institute of Art.

Being part of the GMILCS Consortium not only offers our residents easy access to the ten other member libraries, but also enables us to take advantage of cost savings through bulk purchases of materials, electronic subscriptions and technology.

I am so happy to be working in Derry with this wonderful Board of Trustees and library staff.

Respectfully submitted,

*Cara Potter*

Cara Potter

Director, Derry Public Library



## TAYLOR LIBRARY

### PROGRAMMING:

Once again we have completed another successful year of programming for the children and adults. Our Adult Book Group continues to hold steady with anywhere from sixteen to twenty-two member attending each month. We meet the second Monday of each month from September through May. We take the month of December off and the whole summer. The group picks the book each month and someone volunteers to make refreshments. We interlibrary loan the book of the month so members do not have to purchase books. Where else can you go out for a free evening with good company and food? Call the library for more information and to register.

Our preschool hours continue to be popular with the Tiny Tot Group leading the way. We offer four story hours per week for children ages six months through five years old. We offer one group of Tiny Tots (ages six months-two years old) and three groups for ages two years old through five years old. The Tiny Tot group includes stories, music, rhymes, instruments and dancing for the little ones. We change the rhymes and stories according to the season.

The other three story hours for ages two through five are theme based story hours with stories and a craft to go along with the story. Those story hours are on Mondays, Wednesdays and Sundays at 1 pm. The Wednesday story hour includes children from Nutfield School next door,

We have continued to offer our Lego Club this past year. It is very popular with children ages four and up. We offer this club in a six week block of time year round. Each week we have a different theme for the children to use to build their creations. At the end of the hour, they can display their creation on a special shelf for everyone to see. We have a following of children who come to the library on Sunday to use the Legos.

At Christmas we once again offered our popular Polar Express Story Hour. This past year was our 18th year we have offered the children a ride to the North Pole on our Polar Express. All three evenings were full and we had a wait list for children hoping to get into the story hour. They climb aboard the train for the magical ride to the North Pole where they get to meet Santa Claus who gives each child the first gift of Christmas (silver bell). After Santa leaves, the children enjoy hot chocolate and cookies served by the elves. Each night of Polar Express, a lucky child wins a Polar Express Gift Pack. The Small intimate setting of the Taylor Library is a perfect backdrop for our annual trip to the North Pole. This past year Joe from Silly Solutions surprised the children on Thursday night with Christmas balloons.

Marge Palmer once again offered her Holiday Readings for adults in December. We had a full house for that evening. The fireplace and candles were lit as the lights were dimmed. Everyone enjoyed Holiday stories which got us in the mood for the coming season. Staff and Trustees baked goodies for refreshments. A big thank you to the Friends of the Derry Libraries for the help with this program. It is most appreciated.





We continued to offer our summer reading program to the children of Derry. We offered twenty-three programs which included story hours for all ages and craft programs. The ever popular Carnival night was rained out so we had to move inside with Joe the Balloon Man making a balloon sculpture for each child. Each child got to request what kind of animal or shape they wanted and Joe made it. We had 80 people attending this event. We once again had a full house for the Dolly and Me Tea Party and the Teddy Bear Sleepover. We would like to again thank Canobie Lake Park, Sal's Pizza and Clam Haven for their generous donations they gave us for our summer reading prizes.

For the second summer in a row we had a marshmallow roast in our field. Mr. Ray from the Derry Public Library came and we did a joint story hour. The story hour was not rained out like last year. We did get to roast our marshmallows and make s'mores which everyone enjoyed. This looks like it will be a yearly thing during summer reading with the Derry Public Library.

We did our biweekly story hours at Don Ball Park as part of the Recreation Department offering of events this summer. Thanks Nicole for letting us be part of this program.

This past year we continued the Poetry Tea Time with the local Homeschoolers. The children came in once a month and read poetry of their creations or from poetry books. They enjoyed tea from real tea cups and goodies. Each month we had a full house of children. We will be doing this once again starting in September. We are adding a game afternoon for this group also starting in September.

This past year we welcomed the Cub Scouts and Boy Scouts from Troop 405 in East Derry. They visited the library and used our flag pole to do a flag ceremony as part of their badge requirements.

Nutfield Cooperative School made several field trips to visit us this year. We read them several books and they were able to explore the library and check out books to take back to their classrooms.

During the past year, we had 233 programs which served 2,464 children and adults. We now have 3,256 card holders.

Our Sunday hours continue to be popular with our patrons. We are open from 10-3 each week. We have a following of children who come in and play with the Legos or some families have brought in board games. Each week we offer a craft, coffee, tea and hot chocolate when it is cold out and a special baked goodie of the week. Come in for a visit and check out your favorite author.

We celebrated Nutfield's 300<sup>th</sup> Birthday in April. We had a two day open house celebration. Relatives from the early settlers came into the library to trace their family roots. Once they found out where they were buried in the cemetery, they took a walk to find the grave stones.

We continue to represent the library at Derryfest in September. It is fun to see old and new patrons who stop by and say hello.



Every October we welcome the Friends of the Derry Public Libraries to meet at Taylor Library. They help support the Taylor Library as well as the Derry Public Library with book sales, etc.

This past year we had a new circulation system installed. Our old one was no longer being supported. We went with Atrium which is much faster and user friendly.

## **BUILDING:**

This past year we started to do repairs to the building that have been put off in recent years.

A new brick walkway has been put leading to the back door. In the spring, this area used to flood and become a mud hole. The water is now drained away from the building so when coming in the back door we don't sink in the mud.

We had a new back door installed. The old one was rusted out and didn't close properly.

All of the ropes in the windows have been replaced so now the windows can go up and down with no trouble. All of the panes of glass have been caulked and repainted. All of the windows have been washed inside and out.

The fence has been sealed and ready for winter.

All of the air ducts have been cleaned for the first time in many years. The furnace and A/C are cleaned and are both in excellent shape.

Three new blinds have been installed in the office

## **OTHER**

Once again on behalf of the trustees, I would like to thank the Town Council for voting in favor to fund us once again for another year. This is our 141st year of existence.

We continue to offer Interlibrary Loan services to our patrons. If you are looking for a particular book, CD, DVD or any format that a library in the state of New Hampshire is willing to loan, we can attempt to get it for you. We have van service three times a week. We pick our loans up at the Derry Public Library and you then pick up your book at the Taylor Library. It is very rare we are unable to borrow a book.

We have three laptops for public use. Many patrons either use ours or bring their own and hook into our free Wi-Fi. Many patrons especially when they have no power at home will drive up to our parking lot and connect into our hotspot.



We continue to offer Library Passes to various museums in New Hampshire and Massachusetts. We offer the following passes:

Seacoast Science Museum-Rye

SEE Science Museum-Manchester

Children's Museum of NH-Dover

Museum of Fine Arts-Boston

Strawberry Banke Museum-Portsmouth

Our website continues to be updated. Please check it out and browse our card catalog for all the books we have to offer. ([www.taylorlibrary.org](http://www.taylorlibrary.org))

After 20 years of volunteering her services as a Trustee at the library, Candace Andrews retired from her position. She is certainly missed. We had an open house for patrons and friends to come say good bye.

On behalf of the Trustees and Staff at the Taylor Library, I would like to personally thank you for all your support over the years and invite you to stop in and visit the "Little Library on the Hill". You will certainly be surprised at what we have to offer here.

Respectfully submitted,

*Linda Merrill*

Linda Merrill, Director  
Taylor Library





## **BUILDING & PROPERTY MAINTENANCE COMMITTEE**

The Building & Property Maintenance Committee meet monthly to coordinate efforts to address distressed properties and seek opportunities for revitalization of specific properties. The Committee is comprised of representatives from Code Enforcement, Derry Public Works, Police, Planning, Fire, Tax Office, Town Council and members from the community. The Committee meets in January, April, July, and October on the 3<sup>rd</sup> Tuesday of that month at the Derry Municipal Center.

This Committee worked with Town officials to identify distressed properties and encourage progress in taking the necessary actions to bring them back into compliance with Town standards.

At the beginning of FY 2029, there were (9) distressed buildings on the list and through the efforts of the committee members and Code Enforcement Office this number has been reduced to (6) as of July 1, 2019.

Respectfully submitted,

*Robert Wentworth*

Robert Wentworth  
Chairperson Building & Property Maintenance Committee



## **DERRY CONSERVATION COMMISSION**

As stewards of the Town's conservation lands, we maintain the extensive trail systems, and monitor each parcel annually. Many of the properties are under conservation easement with the Southeast Land Trust of New Hampshire, and they provide us with annual detailed reports following their inspections of the various parcels.

As part of the Town's Technical Review Committee, we review all subdivision plans and continue to do site reviews for all development plans that come before us. The DCC also reviews all wetlands permits issued through the New Hampshire Department of Environmental Services.

In 2019 the commission reinvigorated our parcel monitoring and maintenance plans. The previous reporting by commissioners and land stewards had become outdated. The Commission has opted to follow the reworked monitoring guidelines created by the UNH Cooperative Extension for our monitoring reports moving forward. The first undertaking for trail maintenance is complete at the Low Property with plans to improve Shepard Park and the corresponding picnic area before the year is over.

This year, the Commission has completed the Timber Harvest of the Doolittle Property netting over nine thousand dollars for our land management fund. The harvest was necessary to improve the health of the forest and longevity of the forest.

The Broadview Farm Conservation Area Community Garden plots continue to be extremely popular. Plots are reserved by Derry citizens which enable them to grow healthy, fresh produce during the summer months. The Gardens this year saw a major jump in engagement as the Commission moved signups and communication to a digital platform. Residents could log in to the towns site and register via webform as well as pick a plot based on a digital layout and numbering system. The Garden also has a communication page on social media platform Facebook. The move to enhance our garden management will be beneficial for years to come. Will Lowenthal again has taken on the role of Garden Manager for the 2019 season. His guidance has been beneficial for not only the new gardeners but the health of the garden as a whole.

A continued note of thanks again to Phil Ferdinando, commonly known as "Farmah Phil" of J & F Farms, for volunteering each year to till and fertilize the Community Garden plots. He also cuts the hay field twice annually and grows silage corn on two additional fields. These efforts keep the fields open for wildlife and keep them from reverting back to forest land.

Neil Wetherbee, District Three Councilor, was our Council Representative and I want to thank him for his continued guidance as a key member our Commission.

2018 closed with the discontinuation of the Go Green Subcommittee. Go Green supported community walks, the town wide clean up weeks, as well as promoted recycling and conservation best practices throughout town. Although the group



disbanded, there is a vision for the future and the commission is working to bring "Friends of the Derry Conservation Commission" to life at some point in the future. In the absence of Go Green the commission scheduled and championed a successful round of town wide clean ups. Thanks to support from our Transfer Station and DPW employees for assisting in this event.

I am honored to be the Chair of the Conservation Commission. Other elected officers are Rick Buzzanga, Vice-Chair, Eileen Chabot, Treasurer and Grace Reisdorf, Secretary. The other regular members are Margaret Ives, Robert Spoerl, and Will Lowenthal, with alternate members Paul Dionne, Justin Mitchell, and Mary Ann Chase. Ruth Robinson continues to be the recording secretary of the Commission.

The Derry Conservation Commission meets the second and fourth Monday of each month, at 7:00 PM at the Derry Municipal Center, in third floor meeting room.

Respectfully submitted,

*James Degnan, Chair*

James Degnan, Chair  
Derry Conservation Commission





## DERRY ECONOMIC DEVELOPMENT ADVISORY COMMITTEE

The Derry Economic Development Committee meetings are held on the first Monday of each month in the Town Council Chambers. Meetings are televised on Community Cable for the benefit of those who are unable to attend in person. The committee is made up of volunteers who have been appointed by the Town Council. Currently, the members are:

Name	Title	Term Expires
Christina Gossel	Chair	March 31, 2020
Gordon Graham	Vice Chair	March 31, 2022
Craig Cunningham	Secretary	March 31, 2021
Nicholas Del'Etoile	Member	March 31, 2020
John Potucek	Member	March 31, 2022
Richard Tripp	Town Council Liaison	March 31, 2021
Rick Metts	Member	March 31, 2022
Jessica Araniz	Member	March 31, 2021
Carol Bowden	Alternate	March 31, 2019
Dawn Merrill	Alternate	March 31, 2022
Michael Lucci	Alternate	March 31, 2022
Vacant	Alternate	
Beverly Donovan	Economic Development Coordinator	Permanent Member
George Sioras, AICP	Planning Director	Permanent Member

The Committee's Vision Statement is as follows. To assist in creating an environment that attracts robust businesses to Derry that meet the demand of our residents and the local workforce, and inspires current and future businesses to succeed in our community of historic Main Street storefronts complimented by the convenience of larger retailers, industry, and medical professionals.

To implement its goals, the EDAC developed a Business Outreach Committee.

The goal of this committee is to assist with establishing solid and consistent communication with local businesses in the community. The committee plans to develop a list of businesses in the area and reach out to these businesses on a regular basis. Committee members will have a common outline to use when visiting local business. The committee hopes to communicate to business owners what the town has/is doing; find out what the goals of the local businesses are; and what the town can do to assist businesses with achieving their goals.

Exit 4A continues to promise increased opportunities for businesses on Crystal Avenue and Manchester Road, as well as to relieve traffic in the downtown area. EDAC continues to serve an important role helping to act as a liaison between the business owners and the various town and state entities that will be involved in the development of Exit 4A.

Members of the EDAC assisted with the third year of the very successful farmer's market in the Downtown. Each week the Derry Homegrown Farm and Artisan's Market has brought a wide variety of locally produced food, and entertainment to the Downtown. We have consistently seen approximately 1,600 people into downtown weekly and there has been strong attendance each week since with many local businesses reporting an uptick in customers from the market.



Members of EDAC assisted the Economic Development Coordinator with Derry Derby Day in May 2019. This event brought together the Lions Club Annual Fishing Derby, Alan Shepard Day presented by the Derry History Museum, Food Trucks sponsored by Derry Economic Development, and Hood Park Hoops sponsored by Josh Bourdon and Derry Parks and Recreation. While all this was going on, downtown eateries had Kentucky Derby specials and retail shops had sidewalk sales.

In October of 2019, EDAC will partner with UNH's Cooperative Extension programs, *First Impressions*, to present a "Community Conversation" forum. Residents from Moultonborough, NH explored our downtown and reflected on what could be improved from an outsider's perspective. This community forum will allow for open discussion among community members. Community members will learn about our community's assets and areas for improvement.

Two members of EDAC, Gordon Graham and John Potucek, have volunteered to take part in the Derry Commerce Corridor TIF Advisory Board. Coordination between the TIF Advisory Board and EDAC will help to provide incentives to enhance properties within the community.

The EDAC continues to work with the Economic Development Coordinator on various strategic initiatives outlined in the Economic Development Plan and some of the projects we would like to expand going forward are: recommendations to council for downtown improvements, expanding and encouraging businesses to take part in the facade improvement program, identifying future projects to bring business to Derry, such as but not limited to: food festivals, movie nights, etc.

Respectfully submitted,

*Christina Gossel*

Christina Gossel, Chair  
Derry Economic Development Advisory Committee



## HERITAGE COMMISSION

The Heritage Commission has had a very busy year this year as we celebrated the 300<sup>th</sup> Anniversary of the founding of the settlement of Nutfield. The current members, Karen Blandford-Anderson, Chairperson, Paul Lindemann, Vice Chairperson, Mark Mastromarino, Curator, Thomas J. Cullinane, Mary Eisner, Denise Neale, and Nicole Charlafant hosted a group of families from Ireland and around the US for the opening event “Founders Weekend” April 12, 2019. The group enjoyed lively conversations, speakers from historical associations and a full day conference focused on genealogy and tracing your roots back to our founding families.

The year continued with the recognition of the town’s volunteers at the “Living Treasures” luncheon and awards ceremony. This event was designed to celebrate the long-standing seniors in town who do so much and spend so much of their own time volunteering to support town groups and activities. A luncheon and award of a mug made by local potter Michael Gibbons depicting a birch tree was presented to all in attendance.

Additional events included a Civil War Encampment, Windham Old Home Day and Strawberry Festival, Londonderry Old Home Day all culminating at Derryfest with the final celebration and collection of times for the new 300<sup>th</sup> Time Capsule.

The team created a Derry Commemorative Coin in conjunction with the towns of Windham and Londonderry and sold them at Derryfest as mementos of the great year for the area.

As we close out 2019, we plan to continue our focus on promoting and preserving the history of the Town of Derry and supporting the ever-expanding needs of the Derry History Museum.

A very special thank you to all the members current and past who made this celebration a success and most especially to Paul Lindemann who continued to go above and beyond to create an experience that people from all over the world will continue to talk about for 300 more years.

Respectfully submitted,

*Karen Blandford-Anderson*

Karen Blandford-Anderson  
Chairperson





## **DERRY HIGHWAY SAFETY COMMITTEE**

The Derry Highway Safety Committee was originally conceived to provide a means to access State and Federal funds for safety needs of the Town. The Committee started in the late 1960's and received funds for ambulances, police vehicles, radar units and many more worthwhile projects that have funneled into the Town of Derry by the Committee.

The Committee meets every third Thursday of the month at 9:00 am at the Derry Municipal Center on the 2<sup>nd</sup> floor, Room 207. The public is welcome to attend any meeting. All safety requests must be submitted in writing and forms may be obtained at the Derry Municipal Center.

The Committee is comprised of citizens and department staff. The members include: Derry Police Chief, Edward Garone; Derry Fire Chief, Mike Gagnon; Department of Public Works, Alan Cote, Supt. of Operations; and School Department, Jane Simard. Appointees are: Scott Savard, Chairperson, Jim Roddy, Co-Chair, Walter Deyo, Randall Chase, Ronald Goldthwaite, Jacob Pelletier, and Jill Jamro as our Recording Clerk.

This past year, we reviewed 17 cases having to do with safety concerns. These issues ranged from the requests for crosswalks, street lighting, stop signs, speeding, fog & center lines. The Committee also conducted 4 site reviews of proposed building projects to ensure public safety for motorists and pedestrians coming/going for these sites.

Citizens frequently attend meetings to voice their concerns regarding motorists speeding, street lighting request and signage that they felt the Town should be alerted to.

I would like to thank all the Departments for their assistance this past year.

Respectfully submitted,

*Scott Savard*

Scott Savard, Chairman



## DERRY HOUSING AND REDEVELOPMENT AUTHORITY

I am pleased to submit the 2019 Annual Report for the Derry Housing and Redevelopment Authority (DHRA). As the new Executive Director of the DHRA, I am excited to be taking over an excellent organization and look forward to many years of service to the community. The former Executive Director, Robert Fleig, retired in March and I know that I speak for the staff and Board of Commissioners in thanking him for thirteen years of service to the DHRA. He left a strong legacy of which I am proud to be a part.

The DHRA currently administers 113 Section 8 Housing Choice Vouchers and owns 27 units of housing for low-income, elderly and disabled residents in Derry. Presently, the DHRA's waiting list for housing assistance contains 218 applicants. A person applying today for a Housing Choice Voucher can expect to wait approximately four years for assistance. The DHRA is governed by a five member Board of Commissioners. Led by Chairperson Jennifer Lague, the Board is comprised of Gilberto Molina, Kristy Baillargeon and David Milz.

The 2018 fiscal year audit was conducted and the final report indicated no findings or compliance issues. HUD has designated the DHRA as a "High Performer"; the twelfth consecutive year that the Agency has been awarded HUD's highest designation.

It is important to note that in addition to the services provided to low-income residents of Derry, the DHRA plays a role in the economics of the town as well. In 2018, the DHRA made a total of \$739,066 in rental assistance payments to local landlords. Over the past four years, the DHRA has paid almost four million dollars in rental assistance to Derry landlords.

During the past year, the Center for Life Management in Derry has continued its collaborative efforts with the DHRA. The DHRA is now conducting all Housing Quality Standard inspections for this organization in relation to its own housing assistance programs.

The DHRA partnered with the Town of Derry in submitting a grant request for CDBG funds to be used to upgrade our VCK Apartment properties. If awarded, these funds will allow us to continue to rent the property to very low income elderly and disabled residents of Derry.

We look forward to working in the coming year with the Town and other local agencies to continue to provide decent, safe and sanitary housing for low-income residents of the Town of Derry.

Respectfully submitted,

*Melody Ackerman*

Melody Ackerman  
Executive Director



## NET ZERO TASK FORCE

The Net Zero Task Force was formed in March of 2016 by the Derry Town Council to investigate, explore and achieve cost effective solutions for reduced energy use and sustainable energy development on town controlled property, municipal buildings, vehicles and schools, while developing a comprehensive plan to achieve the goal of “Net Zero” compliance by all key stakeholders by 2025.

The Task Force was modified by the Town Council in 2019 and now consists of the following: Mary Till from the Conservation Committee/Go Green, Craig Cunningham from the Economic Development Advisory Committee, John O’Connor from the Planning Board, vacant representing the Derry Cooperative School District, Brewster Bartlett from Pinkerton Academy, Mike Fowler from the Derry Public Works Department, Josh Bourdon (Vice-Chairperson) as the Derry Town Council Liaisons, and Jeff Moulton (Chairperson), Craig Lazinsky, Tom Cardon (Secretary) and Marius Zainea from the public. Alternate members are vacant from the Greater Derry Londonderry Chamber of Commerce, Bob Mackey from Code Enforcement and vacant from the public.

The Task Force meets on a monthly basis on the third Thursday at 6pm in room 207 of the Derry Municipal Building.

For 2019, the following has been achieved:

- a. For the DPW Solar Project installed in May 2018, monitored production against design (on-track providing 156,000 kwh of electricity per year). Free monitor from the vendor installed at the Municipal Building to demonstrate savings for residents and local business.
- b. For the four EVCS stations, monitored usage that saw a quadruple increase in usage over the last 12 months.
- c. Adopted a new Energy Star program for modeling all town and school buildings, enabling us to track results of energy conservation projects.
- d. Joined NH Clean Energy organization to promote renewable energy projects across NH municipalities and give Derry a bigger voice on key legislative issues. Actively lobbied for key legislation to enable larger solar projects for the town (up to 5Mw) with state representatives and senators.
- e. Marketing plan enhanced to enable information sharing with residents, businesses and schools. Web page enhancements & new Facebook page completed, kiosk/monitor at Municipal Building installed.
- f. Worked with businesses to evaluate the viability of solar for their facilities, including RFPs, vendor evaluations, price analysis, and contract terms. Hosted a business forum on solar projects for all NH businesses at Tupelo Music Hall.
- g. LED project for light replacement project for Municipal Building (\$25k savings/year for Town). Four Year Payback.





- h. Moved the proposed large solar deployment at DPW Landfill (1 Mw) from feasibility to project contract phase that would represent 80% of the DPW's electric usage (and 40% of the Town). Completed vendor discussions, field surveys, cost estimates/business case, RFP preparation, vendor response evaluations and recommendations to TC, vendor reference checks, other New England Landfill project evaluations/key learnings, and purchase and lease options (25 years). Potential savings of \$4-5M if the Town pursues the purchase at the end of 5 years.

- i. *Next Steps for Large Solar Project: 1) Contract negotiations, 2) TC Review and 3) Project Implementation*

- i. Started investigation of Community Choice Aggregation, enabled by recent Virtual Net Metering Bill to enable the Town (and residents and businesses) to achieve significant energy savings vs current Eversource rates, with an option to consume 100% renewable energy. Envisioned to be a 2020 – 2021 project.

Total power consumption for the Town (excluding schools) is over 4M kwh and with the existing Recycling Center Solar Project plus the installation of the proposed Landfill Solar Field, Derry will be producing over 40% of its electricity from renewable sources. The Net Zero Task Force continues to reduce the Town's energy consumption through energy conservation initiatives and to introduce renewable energy sources in place of carbon sources, helping to reduce the tax burden on our citizens, attract new businesses with a "green" vision, and provide a healthy environment to live in.

Respectfully submitted

*Jeff Moulton, PE*

Jeff Moulton, PE  
Chairman Net Zero Task Force



## **DERRY PLANNING BOARD**

The general role of the Board for the Town of Derry is to provide for the orderly growth and development of the municipality. The Board reviews commercial and residential applications, approving them if they meet the regulations of the Town of Derry. The Board is also responsible for the creation and update of the Master Plan which documents the vision of the town for a period of about 10-15 years into the future. Derry's Planning Board is comprised of 7 full members, 3 alternates, and two ex-officio members.

During Fiscal 2019 [July 2018 – June 2019] the Planning Board saw an increase in applications submitted for review and also spent a considerable amount of time reviewing and amending the Town of Derry Zoning Ordinance. During this period, the Board approved 68,869 square feet of new commercial space and 34,800 square feet of commercial redevelopment; two new commercial lots were also created on Tsienneto Road. The Board approved the creation of 21 new single-family house lots and a 30-unit independent adult community. These approvals resulted in a year to date (August 2019) net gain of \$949,100.00 in appraised value for the Town of Derry. This figure does not include the building permits which have not yet been applied for or issued for a majority of the projects. Notable approvals this fiscal year included the redevelopment of Sal's Pizza and the commercial lots adjacent to Sal's Crystal Avenue.

The Board has held 19 meetings since July 1, 2018. In addition to the work mentioned above, the Board accomplished the following:

- Recommended acceptance of two new town roads
- Approved three voluntary mergers
- Approved five lot line adjustments
- Held four site walks
- Extended the approval for two commercial projects
- Worked with Pinkerton Academy on two projects

The Planning Board spent a good portion of its time discussing amendments to the Zoning Ordinance. There were 23 separate workshops held to discuss changes to the Zoning Ordinance. Public hearings were held to accept and recommend approval of the rezoning of 25 parcels as well as to amend the permitted uses in several zoning districts. The Board continues its work to create the best and highest uses in the Zoning Districts and is moving forward with the creation of a mixed use district in Fiscal 2020.

The Planning Board has embarked on the update to its 2010 Master Plan and anticipates completion and acceptance of the document in the fall of 2019. The Master Plan provides a basis for decision making about land use, redevelopment areas, and the allocation of Town resources. There have been two public visioning sessions to date, with a third set for October of 2019. Public input has been garnered from the visioning sessions, online surveys and from comments collected at other public forums. Meeting dates, updates, and other essential information about the Plan progress is posted on the Town of Derry's website on the Planning Board's page.



I would like to take this opportunity to thank the Planning, Public Works, Fire, Police, and IT Departments for their valued support and assistance. Thanks also go to the Board members for volunteering their free time in service to the Town; to the Town Administrator; Economic Development Director; Town Boards/Commissions, and to the Town staff for behind the scenes assistance.

Respectfully submitted,

*John O'Connor*

John O'Connor, Chair  
Derry Planning Board





## 2018 Town of Derry Report

### By Southern New Hampshire Planning Commission

The Southern New Hampshire Planning Commission (SNHPC) has a wide range of services and resources available to help member communities deal with a variety of municipal issues. Technical assistance is provided by a professional staff whose expertise is, when necessary, supplemented by consultants selected for their specialized skills or services. Each year, with the approval of appointed representatives, the Commission's staff designs and carries out programs of regional significance mandated by New Hampshire and federal laws or regulations, as well as local projects which pertain more exclusively to a specific community.



Technical assistance is provided in a professional and timely manner by staff at the request of the Town Administrator, Town Departments, Land Use Boards, and/or Town Council. The Commission conducts planning studies and carries out projects of common interest and benefit to all member communities; keeps officials apprised of changes in planning and land use regulation; and in conjunction with the New Hampshire Municipal Association, offers annual training workshops for Planning Board and Zoning Board members.

In the past year, it has been the Commission's pleasure to assist the Town of Derry with conducting traffic counts, identifying fatal and incapacitating crash locations, providing staff support for the Robert Frost and Old Stagecoach Scenic Byway, updating land use maps, coordinating a regional water supply forum, providing staff expertise in traffic modeling for the I-93 Exit 4A Environmental Impact Study, and beginning an Age-Friendly Community Pilot Program assisting the Planning Department with a Master Plan survey to inform the process.

The following outlined table details services performed for the Town of Derry during the past year, and includes both hours worked specifically for the Town and for projects involving multiple municipalities. In the latter case, the total hours spent by SNHPC staff are divided equally by the number of communities, resulting in time allotment attributed to each of the communities. Examples of a regional project are the development of the New Hampshire Department of Transportation (NHDOT) Ten- Year Transportation Improvement Plan and the organization of a legislative event for NH Legislators and local officials in the SNHPC region.



No.	Hours	Project Description
1	115.11	Performed traffic counts at 35 sites in town;
2	89	Identified and mapped fatal and incapacitating crash locations in Derry to support the development of Road Safety Audit (RSA) and Highway Safety Improvement Program (HISP) funding applications to the NHDOT;
3	49	Provided staff support to Robert Frost/Old Stagecoach Scenic Byway, including meeting preparation, communication, and follow-up activities;
4	27.4	Conducted research and attended meetings on up-and-coming transportation technology, such as Electric Vehicle charging stations and autonomous vehicles. Conducted public outreach in the region, especially regarding transit availability and the need for coordinating trail systems;
5	23.3	Began updating the SNHPC Long Range Transportation Plan;
6	23	Becoming Age Friendly Pilot Program Phase II: SNHPC invited communities and businesses to create pilot programs in which the Commission worked with the Pilot Community/Business to could tackle various community identified issues related to the one of the elements within the Age-Friendly assessment (transportation, housing, recreation, or economic development);
7	22.7	Vulnerability Assessment Program: As part of SNHPC's work program, staff is providing assistance to municipalities through documentation of transportation network vulnerability. This work identifies climate related risk to culverts and small bridges. In 2018 staff engaged local Road Agents and Engineering Departments to identify the risk factors. Data from SNHPC meetings with local managers was catalogued based on potential future actions and past incidents to be utilized for prioritizing risk among all documented assets. A vulnerability assessment will be provided to each municipality in the SNHPC region in 2019;
8	21.6	Continued updating the regional travel demand model, which is used to forecast traffic volumes on roads in throughout the region;
9	14.5	Implemented the Becoming Age Friendly Pilot Program Phase III: SNHPC has begun working with the Town of Derry on age friendly initiatives (housing, recreation/engagement, economic development) for Phase III of the Age Friendly program. SNHPC will continue outreach efforts with local, regional and state agencies and partners. The Commission will also continue to develop a targeted statewide approach in sharing the lessons learned with fellow regional planning commissions and other interested stakeholders.
10	14.1	Statewide Assistance – Initiated and managed a Statewide Scenic Byway Marketing committee and its efforts to plan a statewide forum;
11	13.7	Continued work with the Environmental Protection Agency (EPA) Brownfields Region-wide Assessment Grant for environmental studies and investigations to help move contaminated sites to clean up, redevelopment and reuse;
12	12.6	Coordinated the establishment of regional transportation performance measures through Partnering for Performance NH (PFPNH) workgroup;
13	12.6	Represented the interests of the Town on the Region 9 Regional Coordinating Council for the Statewide Coordination of Community Transportation Services Project;
14	12.6	Municipal Separate Storm Sewer System (MS4): Staffed the Nashua/Manchester StormWater Coalition meetings and participated in regional planning commission coordination of MS4 Efforts;
15	12.5	Continued to update the 2012 Regional Trails (RT) Plan, including collaboration with Central New Hampshire Planning Commission (CNHRPC) staff and outreach to local trail groups. Planned and staffed RTCC meetings in March, June, and November;
16	12	Conducted a bicycle/pedestrian count on the Derry Rail Trail as part of the bicycle/pedestrian counting program;





17	10.5	Participated in NH Complete Streets Conference Subcommittee, organizing and carrying out a statewide conference attended by 150 individuals on October 19, 2018
18	10	Provided Travel Demand Forecast Modelling data in earlier months in 2018 to NHDOT to prepare the DEIS (Draft Environmental Impact Statement) for the new construction of Exit 4A in Derry.
19	7.5	Coordinated with regional municipalities and the NHDOT to develop the 2019-2028 Ten-Year Transportation Improvement Plan;
20	5.9	The FY 2017-2020 Transportation Improvement Program was developed and approved updated;
21	5.6	Coordinated with regional partners and the NHDOT on NH Rail Transit Authority Advisory and Governance Boards projects;
23	5.2	Provided monthly information to the Planning Board regarding upcoming meetings, project and grant updates, webinars and other training opportunities through the planning commission's quarterly Newsletters, monthly Media Blasts and periodic E-Bulletins;
24	3.8	Provided staff assistance to Statewide Coordinating Council for Community Transportation (SCC);
25	2.5	Conducted research and attended meetings on bicycle/pedestrian events and technology, worked with Bike Manchester in coordinating children's bicycling events, conducted bike/ped outreach throughout the region and stayed up to date on bike/ped initiatives taking place in New Hampshire and New England;
26	2	Identified possible signal warrant study locations in Derry;
27	1.2	Participated in discussions with the Nashua MPO to cooperatively develop and adjust Transportation Management Area (TMA)-related plans, programs, and schedules to ensure consistency;
28	1	Organized and facilitated the 2018 Legislative Event "Creating a Healthy Response to NH's Substance Abuse Crisis" for NH Legislators and local officials in the SNHPC region.

Derry's Representatives to the Commission

Adam Burch  
John O'Connor  
Jeffrey Moulton, Vice Chair

**Executive Committee Member:** Jeffrey Moulton, Vice Chair







## ZONING BOARD OF ADJUSTMENT

The Zoning Board of Adjustment is comprised of 5 Primary members drawn from fellow Derry residents and is allowed up to 5 alternate members, by state statute. The Zoning Board of Adjustment hears cases relating to conflict of Derry's ordinances.

Variances were the most abundant type of cases which the board presided over with 31 requests. Of the 31 cases, 3 were withdrawn. The board had 1 request for rehearing from a case that carried over from the prior fiscal calendar. The board also heard 3 special Exceptions and 1 Equitable waiver case(s) during the year.

The Zoning Board of Adjustment may also hear Lot line adjustments and administrative appeals, the later challenges decisions from the building department. Of those two variations, no such cases were brought before the board during this reporting period.

Of all the cases mentioned, 15 were business related requests ranging from lighting and new style signs to permission or use in an unapproved area.

There are no new preemptive laws affecting the board from outside the towns borders this past year.

Respectfully submitted,

*Lynn Perkins*

Lynn Perkins, Chair  
Derry Zoning Board of Adjustment



# DERRY TOWN CHARTER



Adopted: November 1984 (effective January 1, 1985)

Amended: 1988, 1991

Revised: 1993

Amended: 1994, 1995, 1996, 1999, 2001, 2002, 2003, 2004, 2005, 2012,  
9/2012 (effective 7/1/13), 7/2013 (effective 7/1/13)

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## **DERRY CHARTER**

### **PURPOSE**

The purpose of this Charter is to exercise the home rule power recognized under Part One, Article 39 of the Constitution of the State of New Hampshire, consistent with the general laws of the State.

### **ARTICLE 1**

#### **INCORPORATION; TOWN COUNCIL FORM OF GOVERNMENT; POWERS**

##### **SECTION 1.1 Incorporation**

The inhabitants of the Town of Derry shall continue to be a body politic and corporate under the name of the "Town of Derry" and as such to enjoy all the rights, immunities, powers and privileges and be subject to all the duties and liabilities now appertaining to or incumbent upon them as a municipal corporation. All existing debts and obligations shall remain obligatory upon the Town under this Charter.

##### **SECTION 1.2 Town Council Form of Government**

Except as otherwise provided in this Charter, all powers of the Town shall be vested in a Town Council.

##### **SECTION 1.3 Construction**

The powers conferred under this Charter are to be construed liberally in favor of the Town, and the specific mention of particular powers is not intended to limit in any way the general powers of the Town as stated in Section 1.1.

##### **SECTION 1.4 Intergovernmental Relations**

Subject only to express limitations in the provisions of the New Hampshire Statutes, the Town may exercise any of its powers or perform any of its functions under this Charter and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with the State of New Hampshire or any political subdivision or agency thereof, or the United States of America or any agency thereof.

### **SECTION 1.5 Districts**

The Town shall continue to be divided into 4 Districts for the purpose of electing Town Councilors from such Districts. The boundaries of the presently established Districts shall remain as drawn until boundaries are redrawn by the Town Council based on the decennial Census of the United States. So far as reasonably fair and practicable, all Districts shall be equal in population. The Town Council shall, if necessary, adjust and establish new boundaries based on decennial Census data. The Town Council may establish its own rules and procedures governing the conduct of redistricting. However, the Town Council shall hold at least one public hearing concerning new District boundaries.

## **ARTICLE 2**

### **ELECTIONS; ELECTION OFFICIALS; CONDUCT OF ELECTIONS**

#### **SECTION 2.1 Composition of Board of Election Officers**

Eligible members of the Supervisors of the Checklist, the Moderator, the Town Clerk, and the Town Council shall constitute the Board of Election Officers. The Moderator shall be the Chairman. The Town Clerk shall serve as the Clerk of the Board. An "eligible" member shall be defined as someone who is not disqualified by State law. (amended 9-11-2012)

#### **SECTION 2.2 Moderator**

There shall be a Moderator of the Town who shall have all the powers and duties granted by this Charter and State law. The Moderator shall be elected at large at the regular Town election for a term of 2 years. The Moderator shall have the power to appoint all election officials except those which this Charter or State law requires to be elected or otherwise appointed. The Moderator shall determine whether all ballots from all polling places are to be counted in one or more locations. Vacancies in the office of Moderator shall be filled pursuant to State law.

#### **SECTION 2.3 Supervisors of the Checklist**

(A) There shall be 3 Supervisors of the Checklist who shall hold office for 6 years (and until their successors are elected and

qualified), elected on a staggered basis so that one Supervisor is elected every two years.

(B) Vacancies among the Supervisors of the Checklist shall be filled pursuant to State law. The person so appointed shall hold office until the vacancy for the unexpired term is filled at the next regular Town election.

(C) The Supervisors of the Checklist shall elect a chairman for a term of 2 years.

#### **SECTION 2.4 Duties of the Supervisors of the Checklist**

The Supervisors of the Checklist shall have such powers and duties as are specified under State law.

#### **SECTION 2.5 Conduct of Elections**

(A) The election officers, whose duty it is to conduct regular and special elections, shall conduct Town elections in accordance with State law. All elected Town officers shall be elected by use of the Non-Partisan Ballot System established by State law.

(B) The regular Town election shall be held on the second Tuesday in March in each year. The Town Council shall by ordinance establish other election dates, polling places and balloting hours.

(C) Persons who would be qualified under State law to vote in a biennial election in the Town if held on the day of a Town election, shall be qualified to vote in the Town election.

(D) The filing period for candidates to be placed on the ballot for Town elections shall be 10 days, beginning on the seventh Wednesday before the Town election. **(amended 3-12-13)**

#### **SECTION 2.6 Preparation of Ballots**

The Town Clerk shall prepare separate ballots to be used at all local referenda and at elections at which Town officers are chosen. The ballots shall contain in appropriate sections the names of all candidates in such order as permitted by State law, without party designation. Below the list of names of the



candidates of each office, there shall be as many blank spaces as there are offices to be filled at the election. No titles, military, professional or otherwise, shall accompany the name of any candidate on the ballot.

#### **SECTION 2.7 Preservation of Ballots**

All the ballots cast at each election shall be preserved, maintained, and sealed as required by State law.

#### **SECTION 2.8 Contested Elections**

(A) Any person for whom a vote was cast and recorded for any office at a town election may, before the expiration of 3 days after the date of the election, apply in writing to the Town Clerk for a recount of the ballots cast for such office and shall pay to the Town Clerk the fee authorized by State law, for the use of the Town. The Town Clerk shall appoint a time for the recount not earlier than 5 days and not later than 10 days after the receipt of the application. If a recount is requested for a Town office, no person shall assume that office until the recount is completed.

(B) The recount shall be conducted by the Board of Election Officers acting as a Board of Recount. In compliance with State law, the members of the Board of Election Officers comprising the Board of Recount shall be the Town Clerk, the Moderator, and members of the Town Council, provided that all officers are eligible pursuant to RSA 669:32. The Board shall determine the results of any recount. Decisions of the Board in cases of contested elections shall be final, subject only to statutory appeals to the Superior Court. **(amended 9-11-2012)**

(C) Tied elections for any elected Town office shall be determined by lot in a manner decided by the Town Clerk in the presence of the candidates who are tied, if upon notice from the Clerk they elect to be present.

(D) If any 10 voters of the Town shall, before the expiration of 7 days after the date of the regular Town election or special election, apply in writing to the Town Clerk for a recount of the votes on any ballot question affecting the Town only, the Clerk shall appoint a time and place for the recount, not earlier than 5



days nor later than 10 days after receipt of the application. The recount shall be conducted in accordance with State law. Applicants shall pay to the Town Clerk, for use of the Town, the appropriate fee as established by State law.

#### **SECTION 2.9 Certification of Election and Appointment**

(A) Written notice of election or appointment to any Town office or board shall be mailed by the Town Clerk to the person elected or appointed, within 48 hours after the appointment is made or the results of any vote are certified to the Town Council. If, within 10 days from the date of the notice, such person shall not take, subscribe to and file with the Town Clerk an oath of office, such neglect shall be deemed a refusal to serve and the office shall be deemed vacant, unless the Town Council shall extend the time in which such person may qualify.

(B) The removal from office in accordance with this Charter, with or without cause, of a person elected or appointed or otherwise chosen for a fixed term, shall give no right of action for breach of contract.

(C) Except as otherwise provided by law, before entering upon the duties of office, every person elected or appointed to Town office shall take and subscribe to an oath of office as prescribed by law, which shall be filed and kept in the office of the Town Clerk. Any oath required by this section may be administered by any officer qualified by law to administer oaths.

(D) All elected Town officials shall take office on the first Monday following their election and shall hold office until their successors are duly elected and qualified.

**ARTICLE 3**  
**PETITIONS: FREE; INITIATIVE; REFERENDUM**

**SECTION 3.1 Free Petition**

(A) Individual Petitions, Action Discretionary: The Town Council shall receive all petitions which are addressed to them and signed by a registered voter and may, in their discretion, take such action in regard to such petitions as they deem necessary and appropriate.

(B) Group Petitions, Action Required: The Town Council shall hold a public hearing and act by taking a vote on the merits of every petition which is addressed to it and which is signed by at least 100 registered voters. The hearing shall be held by the Town Council, or by a committee or subcommittee thereof, and the action by the Town Council shall be taken not later than 60 days after the petition is filed with the Town Clerk. Hearings on two or more petitions filed under this section may be held at the same time and place. The Town Clerk shall mail notice of the hearing to 10 petitioners whose names first appear on each petition at least 7 days before the hearing. Notice shall be given by publication of a summary of the contents of a petition at least 7 days prior to all such hearings, at public expense. No hearing shall be held upon more than one petition containing the same subject matter in any 12-month period. No hearing or action by the Town Council under this section shall be required in the case of any petition to suspend the implementation of an ordinance adopting a budget or enacting a land use regulation.

**SECTION 3.2 Initiative Petition**

(A) Commencement of Proceedings: Initiative procedures shall be started by the filing of an initiative petition with the Town Clerk. The petition shall be addressed to the Town Council, shall contain a request for passage of a particular measure set forth in the petition, and shall be signed by no less than 20 percent of the total number of votes cast in the last regular Town election.

Signatures to an initiative petition need not be all in one paper. All such papers pertaining to any one measure shall be fastened together and shall be filed in the office of the Town Clerk as one instrument, with the endorsement thereon of the names and

addresses of the persons designated as filing the same. With each signature to the petition shall be stated the place of residence of the signer, giving the street and number, if any.

Within 7 days after the filing of an initiative petition, the Town Clerk shall ascertain by what number of registered voters the petition is signed, and what percentage that number is of the total number of votes cast in the last regular Town election, and shall attach thereto a certificate showing the result of such examination.

The Town Clerk shall forthwith transmit the certificate with the petition to the Town Council and at the same time shall send a copy of the certificate to the first person designated on the petition as filing the same.

When such certificate establishes that the petition appears to have been signed by the requisite number of registered voters, the petition shall be deemed to contain requisite signatures unless written objections are made with regard to the signatures thereon by a registered voter within 7 days after such certificate has been issued, by filing such objections with the Town Council and a copy thereof with the Town Clerk. The validity of any such objection shall be determined by the Town Council at their next regular meeting.

(B) Requirements for Passage and Submission to Electorate. If the Town Council determines that the petition contains the requisite signatures of registered voters, and if in the opinion of the Town attorney the petitioned initiative measure may lawfully be passed by the Town Council, the Town Council shall within 20 days after the petition has been finally determined to be sufficient: (1) pass the measure without alteration; or, (2) schedule a special Town election to be held on a date not less than 30 nor more than 60 days thereafter, and submit the measure without alteration to a vote at that election. However, if any other Town election is to occur within 60 days after the petition has finally been determined to be sufficient, the Town Council may omit a special election and submit the measure to a vote at such other Town election.

The ballot presenting an initiative measure shall state the nature of the measure in terms sufficient to communicate the substance

thereof. The question shall be whether the initiative measure should be adopted.

### **SECTION 3.3 Referendum Petitions**

(A) Commencement of Proceedings: Referendum petitions must be filed with the Town Clerk within 30 days after adoption by the Town Council of the measure or part thereof protested by the petition. Referendum petitions shall identify specifically the measure or part thereof protested and must be signed by no less than 20 percent of the total number of votes cast in the last regular Town election. The procedures of Section 3.2 (A) shall apply to referendum petitions except that the words "measure or part thereof protested" shall, for this purpose, replace the word "measure" in the said section whenever it may occur, and the word "referendum" shall replace the word "initiative" in said section.

(B) Suspension of Effect of Measure or Part Thereof Protested: When a referendum petition is filed with the Town Clerk, the measure or part thereof protested shall be suspended from taking effect, except for emergency ordinances adopted under Section 6.3 of this Charter or ordinances adopting a budget or land use regulation, which shall not be subject to suspension. Such suspension shall terminate when:

1. There is a final determination of insufficiency of the petition; or
2. The filers of the petition withdraw it; or
3. 30 days have elapsed after a vote of the Town on the measure or part thereof protested

(C) Action on Petition: When a referendum petition has been finally determined to be sufficient, the Town Council shall reconsider the protested measure or part thereof by voting whether to repeal it. If the Town Council fails to repeal the protested measure or part thereof within 30 days after the day the petition was finally declared sufficient, the Town Council shall submit the protested measure or part thereof to a vote of the Town at a special Town election to be held on a date fixed by the Town Council. Such special election shall be held not less than 30 nor



more than 60 days after the Town Council's vote on repeal. However, if any other Town election is to occur within 60 days after the Town Council's vote on repeal, the Town Council may omit a special election and submit the protested measure or part thereof to a vote at such other Town election.

The ballot presenting a referendum measure under this section shall state the nature of the protested measure or part thereof in terms sufficient to communicate its substance. The question shall be whether the referendum measure should be repealed.

#### **SECTION 3.4 Submission of Proposed Measure to Voters**

The Town Council may, on its own motion, submit any proposed measure, or a proposition for the repeal or amendment of any measure, to a vote of the Town at a regular or special Town election in the same manner and with the same force and effect as provided by this Charter for submission of initiative or referendum measures.

#### **SECTION 3.5 Measures with Conflicting Provisions**

If two or more initiative or proposed measures passed at the same Town election contain conflicting provisions, only the one receiving the greater number of affirmative votes shall take effect.

### **ARTICLE 4 JUDICIAL AND ADMINISTRATIVE BOARDS**

#### **SECTION 4.1 Elected Boards**

(A) Trustees of Trust Funds: There shall be a board of 3 Trustees of Trust Funds whose powers and duties are provided by State law. Trustees of Trust Funds shall be elected at the regular Town election for terms of 3 years, one Trustee each year. Vacancies shall be filled by appointment by the Town Council for the unexpired term.

(B) MacGregor Library Trustees: There shall be a board of 7 Trustees of the MacGregor Library who shall be elected at the regular Town election for terms of 3 years, staggered so that no

more than 3 Trustees are elected at one time. Vacancies shall be filled by appointment by the Town Council for the unexpired term.

(C) Taylor Library Trustees: There shall be a board of 5 Trustees of the Taylor Library who shall be elected at the regular Town election for terms of 3 years, staggered so that no more than 2 Trustees are elected at one time. Vacancies shall be filled by appointment by the Town Council for the unexpired term.

(D) Cemetery Trustees: The duties and responsibilities of Cemetery Trustees pursuant to RSA 289 shall be delegated to and exercised by the Derry Town Council.

#### **SECTION 4.2 Administrative Boards**

(A) Planning Board: There shall be a Planning Board, whose powers and duties are provided by State law. The Planning Board shall consist of 9 members, of whom 7 are appointed and 2 are ex officio. The 7 appointed members shall be appointed by the Town Council for terms of 3 years, except that initial appointments shall be staggered so that no more than 3 appointed members shall have terms that expire in a single year; a vacancy occurring before the end of a term shall be filled for the unexpired term. The 2 ex officio members shall consist of the Town Administrator, or with approval of the Town Council the Administrator's designee, and a Town Councilor designated by the Town Council for a one year term. There shall also be 3 alternate appointed members appointed in the same way as regular appointed members, except no more than one alternate appointed member's term shall expire in a single year. **(amended 9-11-2012)**

(B) Housing and Redevelopment Authority: There shall be a Housing and Redevelopment Authority whose powers and duties are provided by State law. The Authority shall consist of 5 members appointed by the Town Council for terms of 5 years, except that initial appointments shall be staggered so that no more than one member's term shall expire in a single year. Vacancies shall be filled for the unexpired term.

(C) Conservation Commission: There shall be a Conservation Commission whose powers and duties are provided by State law.



The Commission shall consist of 7 members appointed by the Town Council for terms of 3 years, except that initial terms shall be staggered so that no more than 2 members shall have terms that expire in the first year, two members in the second year and three members in the third year. Vacancies shall be filled for the unexpired term. Four (4) alternate members shall be appointed in like manner, except that the terms of no more than two alternate members shall expire in a single year.

(D) Heritage Commission: There shall be a Heritage Commission whose powers and duties are provided by State Statute in accordance with RSA 673:4-a I. & II only, 674:44a, 674:44-b I & III, 674:44-d. The Commission shall consist of 5 (five) members who shall have the powers and duties of both the Heritage Commission and a Historic District commission. The Commission shall consist of at least four (4) regular members who shall be appointed by the Town Council for three (3) year terms which shall be staggered so that no more than two (2) members' terms will expire in a single year. One regular member shall be a Town Councilor, designated by the Town Council for a term of one (1) year. There shall be three (3) alternate members who shall be appointed by Town Council for three (3) year terms which shall be staggered so that no more than one (1) member's term will expire in a single year. Vacancies shall be filled for the unexpired term." (amended 1999)

#### **SECTION 4.3 Judicial Boards**

Zoning Board of Adjustment: There shall be a Zoning Board of Adjustment whose powers and duties are provided by State law. The Board shall consist of 5 regular members appointed by the Town Council for 3 year terms, except that initial appointments shall be staggered so that no more than 2 members shall have terms that expire in a single year. In addition, there shall be 5 alternate members, appointed in the same way as regular members, except that no more than two alternate members' terms shall expire in a single year. Vacancies shall be filled for the unexpired term.

**SECTION 4.4 Terms of Office**

The terms of office of all members of appointed boards shall begin on April 1 and end on March 31.

**SECTION 4.5 Certain Vacancies**

(A) Unless otherwise provided in this Charter, in the event of a vacancy in an elected office, the Town Council shall fill the vacancy by appointment until the next regular Town election, at which time the vacancy shall be filled by election for the remainder of the unexpired term.

(B) Unless otherwise provided in this Charter, vacancies in appointed boards, commissions or committees shall, be filled by available alternate members selected by Town Council for the unexpired term.

**SECTION 4.6 Board Membership Restriction**

No member or alternate member of any Administrative or Judicial Board of the Town shall serve on any other Administrative or Judicial Board of the Town, except for ex officio members or Town Councilors designated to serve as members of a board.

**SECTION 4.7 Other Administrative Committees**

Other administrative boards and committees may be established as necessary by the Town Council.

**SECTION 4.8 Meetings with Town Council and Town Administrator**

The Town Council and the Town Administrator shall meet during the month of January, and more often if Town affairs so warrant, with the Chairmen of all standing town committees and boards to review significant actions taken by the committees, projects currently under discussion and anticipated activity for the coming year.

## **ARTICLE 5**

### **THE GOVERNING AND LEGISLATIVE BODY**

#### **Section 5.1 The Town Council**

Except as otherwise provided by this Charter, the governing and legislative body of the Town shall be a Town Council exercising all powers authorized by State law. The Town Council shall consist of 7 councilors, of whom 3 councilors shall be elected at large, and one councilor shall be elected from each District.

#### **Section 5.2 Terms of Office**

The term of office for members of the Town Council shall be for three years, or until the election and qualification of their successors.

#### **Section 5.3 Qualification for Office as Town Councilor**

To be eligible for election to the office of Town Councilor, a candidate must be 18 years of age, be a resident of the Town for at least one calendar year before the election, and in the case of a District Councilor, be a resident of the District to be represented. If a Councilor or any elected official of the Town moves from the Town, or from the District in the case of a District Councilor, and establishes a domicile in some other place, the office shall be declared vacant and shall be filled as provided for by this Charter.

#### **SECTION 5.4 Selection of Chairman and Chairman Pro Tem**

The Council shall, by the affirmative vote of a majority of all its members, at its first regular meeting following each regular Town election, choose one of its members Chairman for a term of one year. The Council shall choose one of its member's Chairman Pro Tem, for a term of one year, who shall act in the absence or disability of the Chairman. In the event of a vacancy occurring in the office of Chairman, the Council shall choose one of its members Chairman at the next regular meeting to serve for the unexpired term. The Chairman shall be the official head of the Town for all ceremonial purposes, shall preside at all meetings of the Council and may speak and vote at such meetings.

### **SECTION 5.5 Election of Councilors**

Town Councilors shall be elected for terms of 3 years on a staggered basis, under the following schedule: At the first regular Town election following the effective date of this Charter (1994), there shall be elected one Councilor-at-large and the Councilor for District 1; at the second ensuing regular Town election (1995), there shall be elected one Councilor-at-large and the Councilors for District 2 and 4; at the third ensuing regular Town election (1996), there shall be elected one Councilor-at-large and a District Councilor for District 3. Thereafter, Town Councilors shall be elected on the same schedule in each ensuing 3 year cycle..

### **SECTION 5.6 Removal of Councilors**

The Town Council may, on specific charges and after due notice and hearing, at any time remove one of its own members for cause, including but not limited to prolonged absence from or other inattention to duties, crime or misconduct in office, or as specified in this Charter.

### **SECTION 5.7 Filling of Town Council Vacancies**

In case a vacancy occurs in the Town Council for any reason, the remaining Town Councilors shall, by majority vote, appoint an acting Councilor from among persons eligible to hold the vacant office, to serve until the next regular Town election, at which point the vacancy shall be filled by election for the remainder of the unexpired term.

The Town Council shall act to fill a vacancy no later than 21 days after the vacancy has been officially declared. If such action is not taken within 21 days, the appointment shall be made by the Chairman of the Council. The person so appointed shall be sworn and commence to serve forthwith.

### **SECTION 5.8 Compensation; Expenses**

The Town Council shall establish an annual salary and expense allowance for its members, subject to the following: No increase in such salary or expense allowance shall be effective unless it shall have been adopted by a two-thirds vote of all the members of the Town Council. The new salary and expense schedule shall be included in the next Town budget process, and shall take effect



in the fiscal period to which that budget applies. No Councilor in office at the time the new schedule is adopted shall receive any benefit of the new schedule during the remainder of the Councilor's then-current term of office.

#### **SECTION 5.9 Rules; Meetings; Quorum**

(A) The Town Council shall from time to time establish rules for its proceedings. Regular meetings of the Town Council shall be held at a time and place fixed by the Council but which shall be not less frequent than once monthly. Special meetings of the Town Council may be held on the call of the Town Administrator, or the Chairman of the Council, or on the call of any three or more members, by written notice delivered to the place of residence or business of each member at least 48 hours in advance of the time set. Sessions of the Town Council shall be open to the public, in accordance with RSA 91-A. Every matter coming before the Town Council for action shall be put to a vote, the result of which shall be duly recorded.

(B) A majority of all the members of the Town Council shall constitute a quorum. The affirmative vote of a majority of all the members of the Town Council shall be necessary to adopt any appropriation. Except as otherwise provided by law or this Charter, any other action or measure may be adopted by a majority vote of those present.

#### **SECTION 5.10 Council Staff**

The clerk of the Town Council shall be the Town Clerk. The Clerk of the Town Council or designee shall give notice of all meetings of the Town Council to its members and to the public, shall keep a record of its proceedings and shall perform such duties as may be assigned by the Charter, by ordinance, or by other vote of the Town Council.

#### **SECTION 5.11 Town Councilors - Incompatible Offices**

Except as otherwise provided in this Charter, members of the Town Council shall not hold any other office or employment with the Town. Former members of the Town Council shall not be eligible for appointment as a compensated Town officer or employee until one year after the expiration of their service.

## **ARTICLE 6 ORDINANCES**

### **SECTION 6.1 Municipal Legislation**

Municipal legislation shall be by ordinance. Each ordinance shall be identified by a number and a short title. The enacting clause of each ordinance shall be "The Town of Derry Ordains," and the effective date of each ordinance shall be specified in it. All ordinances shall be recorded at length uniformly and permanently by the clerk of the Town Council, and each ordinance so recorded shall be authenticated by the signature of the Chairman of the Town Council and the Clerk of the Town Council.

### **SECTION 6.2 Ordinances**

(A) An ordinance may be introduced by any Councilor at any regular or special meeting of the Town Council. Upon introduction of any ordinance, the Clerk of the Town Council shall distribute a copy to each Councilor and to the Town Administrator, shall file a reasonable number of copies in the office of the Town Clerk and shall post a copy in such other public places as the Council may designate. The full text of the proposed measure or ordinance need not be included in the notice if an adequate statement is included, describing the proposal and designating the place where the proposal is on file for public inspection.

(B) Every proposed ordinance shall be introduced in writing in the form required for final adoption. Any ordinance which repeals or amends an existing ordinance shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate matter to be omitted by enclosing it in brackets or by strikeout type, and shall indicate new matter by underscoring or by italics.

(C) After the ordinance's first reading, it shall be published on the Town website and a notice placed in a newspaper of general circulation in the Town at least once, publicizing the time and place when and where it will be given a public hearing and be considered for final passage. The newspaper notice shall also contain a statement describing the proposal, and designating the



place where the proposal is on file for public inspection.  
**(amended 9-11-2012)**

(D) No ordinance shall be passed finally on the date on which it is introduced, except in cases of emergency involving the health or safety of the people or their property. Every adopted ordinance, except as otherwise provided by this Charter, shall become effective at the expiration of 30 days after adoption or at any later date specified therein.

No ordinance shall be amended or repealed except by another ordinance adopted in accordance with this Charter, or as provided in the initiative and referendum procedures of this Charter.

### **SECTION 6.3 Emergency Ordinances**

An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall contain statements after the enacting clause declaring that an emergency exists, and describing the scope and nature of the emergency in clear and specific terms. A preamble which declares and defines the emergency shall be separately voted on and shall require the affirmative vote of two-thirds of all the members of Town Council.

Action on an emergency ordinance shall be taken without amendment at the meeting at which the ordinance is introduced. No ordinance making a grant, renewal or extension, whatever its kind or nature, of any franchise or special privilege shall be passed as an emergency ordinance and except as provided by law relating to utility lines, no such grant, renewal or extension shall be made otherwise than by the regular procedure established for ordinances. After its adoption, an emergency ordinance shall be published as prescribed for other adopted ordinances. It shall become effective upon adoption or at such time as it may specify.

### **SECTION 6.4 Codification of Ordinances**

Not later than 18 months after taking office under this Charter and at least every fifth year thereafter, the Town Council shall have prepared a revision or codification of the ordinances of the Town which are appropriate for continuation as local laws of the Town.

### **SECTION 6.5 Existing Ordinances**

All by-laws, ordinances, rules, restrictions and regulations of the Town of Derry which are in effect as of the effective date of this Charter, and are not inconsistent with this Charter, shall remain in effect after the adoption of this Charter until they expire by their terms or are repealed, modified or amended by the Council.

### **SECTION 6.6 Charter Objection**

On the first occasion that the question on adoption of a measure is put to the Town Council, if two Councilors object to the taking of the vote, the vote shall be postponed until the next meeting of the Town Council whether regular or special. The Councilors who raise the objection shall state the basis for the objection and cite the Charter provision or other applicable law being relied upon in making the objection. This procedure shall not be used more than once for any agenda item. Any item once postponed shall not be further postponed under this section. The Charter objection privilege is not available with respect to an emergency ordinance.  
(amended 9-11-2012)

## **ARTICLE 7 GENERAL POWERS**

### **SECTION 7.1 General Powers of the Town Council**

Subject to the provisions of this Charter, as the elected body serving as the legislative and governing body of the town, the Town Council shall exercise all the powers and duties of selectmen, city councils and boards of aldermen and such other powers and duties provided by State statute or the Constitution of the State of New Hampshire. Except as otherwise provided by State law or this Charter, the powers of the Town Council may be exercised in a manner determined by it.

### **SECTION 7.2 Regulation of Fees and Other Charges**

In accordance with State law, the Administrative Code and this Charter, the Town Council shall approve and regulate all fees and charges, whether for reclamation, impact, use, permits or any other charges that may be made by any department or agency, for the use of the facilities or services of the Town.

### **SECTION 7.3 Delegation of Powers**

The Town Council may delegate to one or more Town agencies the powers to grant and issue licenses and permits vested in the Town Council by State law, and may regulate the granting and issuing of licenses and permits by any such Town agency. The Town Council may in its discretion, rescind any such delegation without prejudice to any prior action taken on such licenses or permits.

### **SECTION 7.4 Inquiries and Investigations**

The Town Council may require any elected or appointed Town officer or employee, any official appointed or confirmed by the Council, or any member of an elected Town board or elected Town commission to appear before it and to give such information as the Town Council may require in relation to such person's office, function or performance. The Town Council shall give at least 48 hours written notice of the general scope of the inquiry which is to be made to any person it shall require to appear before it under this section.

The Town Council may make investigations into the affairs of the Town and into the conduct of any Town agency, and for this purpose may administer oaths and require the production of evidence.

## **ARTICLE 8 ADMINISTRATION OF GOVERNMENT**

### **SECTION 8.1 Town Administrator**

The chief administrative officer of the Town shall be the Town Administrator (hereinafter called the "Administrator"). The Administrator shall be appointed by the Town Council upon the affirmative vote of at least 5 members of the Council. The Administrator shall hold office at the pleasure of the Town Council. The Town Council shall fix the Administrator's salary and terms of employment.

### **SECTION 8.2 Qualifications**

The Administrator shall be appointed solely on the basis of qualifications for the office, with special reference to education,

training and previous experience in public or private office. The Administrator need not be a resident of the Town or of the State of New Hampshire unless contractually obligated. The Administrator shall devote full time to the office and shall not hold any other public office, elective or appointive, except as authorized by this Charter, nor engage in any other business or occupation unless with the approval of the majority of the Town Council.

**(amended 3-12-2013)**

### **SECTION 8.3 Evaluation of Administrator's Performance**

During the budgetary process following the first anniversary of the Administrator's service to the Town and during each subsequent budgetary process, the Town Council shall conduct an evaluation of the Administrator's performance in office. After such evaluation, the Town Council shall determine whether the Administrator's overall performance in office has been satisfactory or unsatisfactory. The Town Council shall also establish the Administrator's compensation for the ensuing year.

### **SECTION 8.4 Removal of Administrator**

(A) The Administrator may be removed by a majority vote of all members of the Town Council as herein provided. The Town Council shall adopt a resolution stating its intention to remove the Administrator and the reasons therefore, a copy of which shall be served on the Administrator. Immediately upon delivery to the Administrator of the resolution stating the intent of the Town Council, the Administrator shall be relieved of office and all further duties.

(B) The Administrator may reply thereto in writing within 10 days, and upon request, shall be afforded a public hearing which shall occur not earlier than 10 days nor later than 15 days after such hearing is requested. After the public hearing, if one is requested, and after full consideration, the Town Council, by majority vote of all its members, may adopt a final resolution of removal. The Administrator shall continue to receive full salary until the effective date of a final resolution of removal. The action of the Town Council in removing the Administrator shall be final.



During the period between adoption of a resolution under Paragraph (A) of this section and final action under Paragraph (B), the Town Council shall, by majority vote of all its members, appoint an interim Administrator to serve at the will of the Town Council for not more than 90 days. If a final resolution of removal is not adopted, the Administrator shall resume office forthwith.

#### **SECTION 8.5 Acting Town Administrator**

(A) Whenever by reason of sickness, absence from the town or other unexpected cause, the Town Administrator shall be unable to perform the duties of the office for a period of 3 successive working days or more, the Town Council shall appoint an Acting Town Administrator.

(B) The Acting Administrator shall have all the powers and perform all the duties of the Administrator except to the extent that said powers and duties may be specifically restricted by Town Council resolution. The Acting Administrator shall be paid such salary for services hereunder as may be prescribed by the Town Council.

#### **SECTION 8.6 Powers and Duties of Administrator**

(A) The Administrator shall be the chief administrative officer of the Town, shall supervise and be responsible for the administrative and financial affairs of the Town and shall carry out the policies enacted by the Council. The Administrator shall be charged with the preservation of the health, safety, and welfare of persons and property and shall see to the enforcement of the ordinances of the Town, this Charter and general State laws governing administration of the Town. The Administrator shall supervise and direct the administration of all Town departments and personnel therein.

(B) Except as otherwise provided by this Charter, the Administrator shall appoint upon merit and fitness alone, and may remove all officers and employees of the Town, subject to the provisions of pertinent statutes and the Administrative Code. Appointment of officers and employees who report directly to the Town Administrator shall be subject to confirmation by vote of the Town Council.

(C) The Administrator shall fix the compensation of all Town officers and employees appointed by the Administrator, within the limits established by existing appropriations.

(D) The Administrator shall have full jurisdiction over the rental and use of all Town facilities under the Administrator's control. The Administrator shall be responsible for the maintenance and repair of all Town property under the Administrator's control, within the limits of existing appropriation.

(E) The Administrator shall keep a full and complete inventory of all property of the Town, both real and personal.

(F) The Administrator shall be responsible for purchasing all supplies, material and equipment for all departments and activities of the Town.

(G) The Administrator shall keep the Town Council informed of the needs of the Town, and make such reports and recommendations as the Administrator may deem advisable or as the Council, as provided by this Charter or by ordinance, shall direct.

(H) The Administrator shall have and perform such other powers and duties not inconsistent with the provisions of this Charter as now are, or may be, conferred or imposed upon the Administrator by ordinance, or by general State laws. The Administrator shall have the right to take part in the discussion of all matters before the Town Council, but not the right to vote.

#### **SECTION 8.7 Non-interference by Individual Members of the Town Council**

The Town Council shall act in all matters as a body. Members of the Council shall not seek individually to influence the official acts of the Town Administrator, or any other officers; or to direct or request, except in writing, the appointment of any person to, or removal from, office; or to interfere in any way with the performance by such officers of their duties. Any member of the Town Council violating the provisions of this section, as



determined through procedures established in this Charter, shall forfeit the office.

#### **SECTION 8.8 Appointive Officers**

(A) There shall be appointed by the Administrator, subject to confirmation by vote of the Town Council, a police chief, a fire chief, a health officer, one or more assessors, town attorney, a tax collector and such other officers as may be necessary to administer all departments which this Charter and the Town Council shall establish. Assessors shall, prior to appointment, have demonstrated knowledge of property appraisal or assessment and of the laws governing the assessment and collection of property taxes. The powers and duties of appointed officers and heads of departments shall be those prescribed by state law, by the Charter or by ordinance.

(B) The Town Council may engage as needed such other attorneys as are deemed in the best interest of the Town or to provide legal advice to the Town Council.

#### **SECTION 8.9 Departments; Administrative Code**

The Town shall have departments, divisions, boards or committees as may be established by this Charter or as the Town Council may establish by ordinance. It shall be the duty of the Administrator to draft and to submit to the Town Council within 9 months after assuming office, an ordinance consistent with this Charter to be titled as the "Administrative Code", which provides for the division of the administrative service of the Town into departments or agencies and defines the functions and duties of each.

The ordinance shall include, subject to any collective bargaining agreements that may be agreed upon, provisions for a merit plan to ensure that all appointments and promotions in the service of the Town shall be made solely on the basis of merit and only after appropriate examination or review of the applicants' relative knowledge, skills, abilities and experience and provisions governing discipline and dismissal of personnel. Subsequent to the adoption of such ordinance, upon recommendation of the Administrator, the Town Council by ordinance may amend it to

create, consolidate or abolish departments, agencies or other divisions of the Town, define the functions and duties of each, or otherwise amend it.

The chief officer of each department shall have supervision and control of such department and shall have the power to prescribe rules and regulations for the conduct of such department, not inconsistent with general law, this Charter, the Administrative Code, and the provisions of the merit plan. Prior to adoption of the Administrative Code, the Administrator shall have the power to establish temporary rules and regulations to ensure economy and efficiency in the several divisions of Town government.

#### **SECTION 8.10 Town Clerk**

There shall be a Town Clerk, elected for a term of 3 years. The Town Clerk shall have such authority and perform such duties as provided by State law. Vacancy in the office of Town Clerk shall be filled in accordance with State law.

### **ARTICLE 9 FINANCE**

#### **SECTION 9.1 Fiscal Year**

The fiscal year of the Town shall begin July 1 and run through the subsequent June 30 in each year.

#### **SECTION 9.2 Preparation of Budget**

The preparation of the fiscal budget of the Town shall begin at such time as specified by the Administrator, or as directed by the Administrative Code. The chief officer or director of each department shall submit to the Administrator an itemized estimate of the expenditures for the next fiscal year for the department or activities under the officer's control. In presenting the budget to the Town Council, the Administrator shall also include a detailed report of estimated revenues other than those to be derived from real estate taxes, paying particular attention to departments or activities that are self-sustaining.

### **SECTION 9.3 Submission of Budget; Budget Message**

(A) By April 1 the Administrator shall submit to the Clerk of the Town Council a proposed budget for the ensuing fiscal year which shall provide a complete financial plan of all Town funds and activities for the ensuing fiscal year, an accompanying budget message and supporting documents, including the estimated effect of the proposed budget on the tax rate.

(B) The message of the Administrator shall explain the budget for all Town agencies both in fiscal terms and in terms of work programs. It shall outline the proposed financial policies of the Town for the ensuing fiscal year, indicate any major changes from the current fiscal year in financial policies, expenditures and revenues, together with the reasons for such changes; summarize the Town's debt position and include such other material as the Administrator deems desirable or the Town Council may reasonably require.

### **SECTION 9.4 Action on the Budget**

(A) Limitation of Budget Increases: Recognizing that the final tax rates for the Town of Derry are set by the New Hampshire Department of Revenue Administration pursuant to State law, the Administration and Town Council of the Town of Derry shall develop their annual budget proposals in accordance with the mandates of this section. In establishing a municipal budget, the Town Council shall be allowed to assume an estimated property tax rate only in an amount equal to the equalized tax rate established during the prior fiscal year increased by a factor equal to the average change in the Northeast Region Consumer Price Index for All Urban Consumers (CPI-U) as published by the United States Department of Labor Bureau of Labor Statistics for the calendar year immediately preceding budget adoption. Total expenditures for any given budget year shall not exceed funds reasonably calculated to be derived by a tax rate so established in addition to other revenues generated by the municipality. This provision shall not prevent the Town Council from establishing an annual municipal budget below this limit. This provision shall not limit the Town Council from appropriately funding any programs or accounts mandated to be paid from municipal funds by state or federal law. **(amended 3-12-13)**



(B) Exception to Budget Limitation: The total or any part of principle and interest payments for any municipal bond may be exempted from being included in expenditures subject to the prior limitation in Sec. 9.4(A) upon a two-thirds vote of the entire Derry Town Council. This decision shall be made annually.

(C) Public Hearing: The Town Council shall publish in one or more newspapers of general circulation in the Town a general summary of the proposed budget as submitted by the Administrator with a notice stating: (1) the times and places where copies of the proposed budget are available for inspection by the public and (2) the date, time and place not less than 2 weeks after such publication, when a public hearing on the proposed budget will be held by the Town Council.

(D) Adoption: The Town Council shall enact the budget, with or without amendments, by May 31. In amending the budget, it may delete, decrease, increase or add any programs or amounts, except it may not decrease expenditures required by law or for debt service. If the Town Council fails to take action with respect to the budget by May 31, such budget shall, without any action by the Town Council, be deemed to have been adopted, and shall be available for the purposes specified.

#### **SECTION 9.5 Quarterly Budget Reports**

At the beginning of each quarterly period during the fiscal year, and more often if required by the Town Council, the Administrator or designee shall submit to the Town Council data showing the state of the Town's financial affairs. The Administrator shall, at the Town Council's first regular meeting in the quarterly period, using the same data furnished to the Town Council, provide a report to the public that shows the relation between the estimated and actual income and expenses to date, together with outstanding indebtedness and estimated future expenses. The Town Administrator, with simple majority approval of the Town Council, may reduce appropriations for any item or items, except amounts required for debt and interest charges or other legally-required expenditures, to such a degree as may be necessary to keep total expenditures within total anticipated revenues (**amended 3-13-12**)

#### **SECTION 9.6 Appropriations After Adoption of Budget**

No appropriation shall be made for any purpose not included in the annual budget as adopted, unless approved by a two-thirds majority of all the members of the Town Council after a public hearing. The Town Council shall, by resolution, designate the source of any money so appropriated.

#### **SECTION 9.7 Transfer of Appropriations**

"No expenditure shall be made, and no obligation for expenditure shall be incurred, except pursuant to a duly adopted appropriation or a transfer of appropriation permitted by this section.

With the approval of a majority of the Town Council, the Town Administrator may transfer any unencumbered appropriation balance or any portion thereof from one department to another. The Town Administrator may transfer any unencumbered appropriation balance or any portion thereof within a department, provided that funds are available to support the transfer, that the amount to be transferred is not essential for the effective operation of the department's functions, and that the transfer is not otherwise contrary to State law." **(amended 9-11-2012)**

#### **SECTION 9.8 Capital Improvements Plan**

(A) The Town Administrator, after consultation with the Planning Board, shall prepare and submit to the Town Council a capital improvements plan at least one month prior to the final date for submission of the budget. The capital improvements program shall include:

- (1) A clear summary of its contents.
- (2) A list of all capital improvements including major replacements which are proposed to be undertaken during the next 6 fiscal years, including, but not limited to, equipment, sewer and water mains or facilities, roads, sidewalks, bicycle paths or lanes, public open spaces and recreation facilities, new police or fire stations, and other new public facilities and major items of equipment, with appropriate supporting information as to the necessity for such improvements.

- (3) Cost estimates, methods of financing and recommended time schedule for each improvement.
- (4) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

(B) The capital improvements plan shall be based on a period of not less than 6 years and shall be guided by the Master Plan for the Town.

(C) The foregoing information may be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

(D) The Town Council and Planning Board shall meet annually in preparation for and review of the capital improvements plan in a manner determined from time to time by the Town Council.

(E) A summary of the updated capital improvements plan with estimated costs shall be included in the Town report and the current year costs of the capital improvements plan shall be included in the Town budget.

(F) The Town Council shall publish in one or more newspapers of general circulation in the Town a general summary of the capital improvements plan and a notice stating: (1) the times and places where copies of the capital improvements plan are available for inspection by the public; and (2) the date, time and place not less than 2 weeks after such publication, when a public hearing on said plan will be held by the Town Council.

(G) After the public hearing and at the time of adoption of the budget as set forth in **Section 9.4D** of the Charter and on or before 30 days prior to the start of the ensuing fiscal year, the Town Council shall by resolution adopt the capital improvements plan with or without amendment, provided that each amendment must be voted separately and that any increase in the capital improvements plan as submitted must clearly identify the method of financing proposed to accomplish the increase.



### **SECTION 9.9 Lapse of Appropriations; Special Revenue Funds**

Every appropriation, except an appropriation for a capital expenditure or dedicated funds permitted by State law, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation shall be deemed abandoned if 2 years pass without any disbursement from, or encumbrance of, the appropriation. Special Revenue Funds may be established in accordance with State law for a specific purpose only upon receiving a vote of two-thirds of all the members of the Town Council.

### **SECTION 9.10 Purchasing Procedure**

The Administrative Code, as approved by the Town Council, shall establish purchasing and contract procedure, as well as a non-competitive bid procedure, including the assignment of all responsibility for purchasing to the Administrator or designee, and the combination purchasing of similar articles by separate departments. The Town Administrator, through a written procedure and notification of the Town Council, shall establish dollar limits for purchases and contracts which must be by competitive bid and shall establish the bidding procedures. No competitive bids shall be required when purchasing through the State of New Hampshire or at the State of New Hampshire bid prices. Requirements for bids may be waived in specific instances by the Town Administrator; however the Town Administrator must have the approval of the Council Chair to waive bidding requirements on his/her purchases.

**(amended 3-13-2012)**

### **SECTION 9.11 Special Assessments**

When it appears either by petition or Council deliberation that the cost of a public improvement should be defrayed in part or whole by special assessment upon the property especially benefitted, the Town Council shall have authority to so declare by resolution. The Town Council shall hold a public hearing prior to enacting any

special assessment resolution. Such resolution shall state the estimated cost of the improvement, the proportion of the cost to be borne by special assessment and the proportion to be borne by Town general revenues. The resolution shall designate the areas of the Town or the premises on which the special assessment shall be levied and the conditions of payment of the levy. Adoption of the resolution shall require an affirmative vote of two-thirds of all the members of the Town Council. The Town Council shall prescribe by ordinance, complete special assessment procedures concerning plans and specifications estimate of costs, notices, hearings and any other matters concerning the financing of improvements by the special assessment method.

#### **SECTION 9.12 Fiscal Control**

The Administrative Code shall establish procedures governing fiscal control of all Town finances, including, but not limited to, a pre-audit of all authorized claims against the Town before payment.

#### **SECTION 9.13 Bonding of Officials**

Any Town officer or employee (other than Town Councilor) may be required by the Administrator to give a bond for the faithful performance of the duties of the office. The Administrator and all officers receiving or disbursing Town funds shall be so bonded. All official bonds shall be corporate surety bonds, and the premiums thereon shall be paid by the Town. Such bonds shall be filed with the Town Clerk.

#### **SECTION 9.14 Investments, Trust Funds**

The Trustees of Trust Funds shall invest and account for funds under their supervision in accordance with State law.

#### **SECTION 9.15 Grants, Gifts**

The Town Council may apply for, accept and expend monies received from the State, Federal, or other governmental units, or from private sources which become available during the fiscal year. A procedure for accounting for such monies shall be provided for in the Administrative Code. No Town funds shall be expended as matching funds for such monies unless lawfully appropriated for such purpose.

**SECTION 9.16 Town Treasurer; Deputy Treasurer**

There shall be a Treasurer of the Town appointed upon the recommendation of the Town Administrator with approval by the Town Council. The appointment shall be made in writing and shall include the compensation to be paid. The Treasurer shall have custody of all monies belonging to the Town and shall pay out the same only upon orders of the Administrator and the Chairman of the Town Council or as otherwise authorized by State law. The Administrator shall initiate and sign a document, to be co-signed by the Chairman of the Council or designee, listing payments to be made. The Administrator shall attach to the document all supporting papers, as specified by the Administrative Code, authorizing the Treasurer to make payment.

**(amended 9-11-2012)**

The Treasurer shall deposit all monies, invest excess funds and account for same as directed by this Charter, the Administrative Code, and State law. A vacancy in the office of the Town Treasurer shall be filled by appointment by the Town Council for the unexpired term.

A Deputy Treasurer shall be appointed by the Treasurer with the approval of the Town Council. The Deputy Treasurer shall be qualified in the same manner as the Treasurer and shall perform all the duties of the Treasurer in the event of the Treasurer's absence by sickness, resignation or otherwise.

**(amended 3-13-2012)**

Transitional Provision: Pursuant to RSA 669:17-d, upon passage of this amendment the person holding the elected office of Treasurer shall continue on until the next annual Town election following the discontinuance of the elected office of Treasurer.

**(amended 9-11-2012)**

**SECTION 9.17 Borrowing Procedure**

Subject to the applicable provisions of State law and the Administrative Code, the Town Council, by resolution, may authorize the borrowing of money for any purpose within the scope of the powers vested in the Town and the issuance of

bonds of the Town or other evidence of indebtedness therefor, and may pledge the full faith, credit and resources of the Town for the payment of the obligation created.

#### **SECTION 9.18 Independent Audit**

Independent compliance and financial audits shall be made of all accounts of the Town at least annually and more frequently if deemed necessary by the Town Council. Such audits shall be conducted according to auditing procedures of the American Institute of Certified Public Accountants, the National Committee on Government Accounting, and other such procedures which may be necessary under the circumstances, by certified public accountants experienced in municipal accounting. Summaries of the results of such audits, including findings and recommendations and any management letters, shall be made public. At least once every 5 years the Town Administrator, on behalf of the Town Council, shall issue a Request for Proposal for the provision of independent audit services. **(amended 3-12-2013)**

#### **Section 9.19 Annual Report**

An annual report of the Town's business for the preceding year shall be made available to the public not later than 150 days after the close of the fiscal year. **(new section 3-12-2013)**

### **ARTICLE 10 GENERAL PROVISIONS**

#### **SECTION 10.1 Availability of Town Records**

In compliance with RSA 91-A, a copy of all ordinances, the Administrative Code or other rules and regulations adopted by any town agency, board or individual shall be filed in the office of the Town Clerk and made available for review by any person requesting such information.

#### **SECTION 10.2 Liability of Town Officers and Agencies**

All town officers and members of town agencies shall be deemed to be public or municipal officers or officials. The Town shall indemnify any such officer or member for expenses or damages incurred in the defense or settlement of a claim against the officer



or member which arose while acting in good faith within the scope of official duties or employment, but only to the extent and subject to the limitations imposed by State law.

### **SECTION 10.3 Prohibition**

(A) No officer or employee of the Town shall appear as counsel before any agency of the Town of Derry.

(B) Any Town officer or employee who has a substantial financial interest, direct or indirect or by reason of ownership of stock in any corporation, in any contract with the Town or in the sale of any land, material, supplies or services to the Town or to a contractor supplying the Town, shall make known that interest and shall refrain from voting upon or otherwise participating in the transaction as a Town officer or employee. Any Town officer or employee who willfully conceals such interest or willfully violates the requirements of this section shall be guilty of malfeasance in office or position and shall forfeit the office or position. In addition, the transaction shall be voidable by the Town Council if the person contracting with or making a sale to the Town has knowledge that this section has been violated.

(C) **Activities Prohibited**

1. No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any Town position or appointive Town administrative office because of race, sex, political or religious opinions or affiliations.

2. No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this Charter or the rules and regulations made thereunder, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.

3. No person who seeks appointment or promotion with respect to any Town position or appointive Town office shall directly or indirectly give, render or pay any money,

service or other valuable thing to any person for or in connection with any test, appointment, proposed appointment, promotion or proposed promotion.

4. No person who runs for Town office shall solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose whatever from any person holding any compensated appointive Town position.

#### **SECTION 10.4 Severability**

If any provision of this Charter is held invalid, the other provisions of this Charter shall not be affected thereby. If the application of this Charter or any of its provisions to any person or circumstance is held invalid, the application of this Charter and its provisions to other persons and circumstances shall not be affected thereby.

#### **SECTION 10.5 Specific Provisions Shall Prevail**

To the extent that any specific provision of this Charter conflicts with any provision expressed in this Charter in general terms, the specific provision shall prevail.

#### **SECTION 10.6 Procedures**

(A) Meetings: All multiple member bodies of the Town whether elected or appointed or otherwise constituted, shall meet regularly at such times and public places within the Town as they may prescribe. Except in emergencies, special meetings of any multiple member body shall be held on the call of the respective chairperson or by one-third of the members thereof, by written notice delivered to the residence or place of business of each member at least 48 hours in advance of the time set. A copy of the said notice shall also be posted on the Town bulletin board.

Special meetings of any multiple member body shall also be called within one week after the date of the filing with the Town Clerk of a petition by at least 100 voters which states the purpose or purposes for which the meeting is to be called. Meetings of all multiple member bodies shall be open and public; however, a multiple member body may meet in a non-public session as permitted by RSA 91-A.



(B) Agenda: Except in cases of emergency, at least 48 hours before any meeting of a multiple member body is to be held, an agenda shall be posted containing all items which are scheduled to come before the meeting. No action taken on a matter not included in the posted agenda shall be effective unless the body first adopts by special vote a resolution declaring that an emergency exists and that the particular matter must be acted upon at that meeting for the immediate preservation of the peace, health, safety or convenience of the Town.

(C) Rules and Minutes: Each multiple member body shall determine its own rules and order of business unless otherwise provided by this Charter or by State law. The Town Clerk or designee shall take and keep the minutes of the respective proceedings. Such rules and minutes, except as provided for in RSA 91-A, shall be a public record kept available in a place convenient to the public at all times, and certified copies shall be kept available in the Town Clerk's office.

(D) Voting: Except on procedural matters, all votes of all multiple member bodies shall be taken by a call of the roll and the ayes and nays shall be recorded in the minutes, provided, however, that if the vote is unanimous, only that fact need be recorded.

(E) Quorum: A majority of the members of a multiple member body shall constitute a quorum, but a smaller number may adjourn from time to time and compel the attendance of the absent members in the manner and subject to the penalties prescribed by the rules of the body. No other action taken by a number of members smaller than the quorum shall be valid or binding.

#### **SECTION 10.7 Duties of the Chairman of the Town Council**

(A) The Chairman of the Town Council, in addition to other duties as provided for in this Charter, shall, after consulting with the Administrator, prepare the agenda for presentation to the Council.

(B) The Chairman shall meet with the Administrator as often as they both shall deem necessary in order to ensure that the

Administrator and the Town Council are in agreement as to decisions made, or to be made, and to share information that may be of benefit to the Chairman and the Town Council regarding public relations, economic development plans, or other public matters the Council may request the Administrator to pursue.

(C) The Chairman shall advise the Town Council on a monthly basis as to activities and progress on matters assigned to the Chairman.

(D) As a member of the Town Council, the Chairman shall be fully subject to the non-interference requirement of Section 8.7 of this Charter.

(E) In order to carry out the Chairman's responsibilities, the Chairman shall be furnished a desk, office space, and secretarial services as needed. Upon leaving office the Chairman shall immediately turn over all papers, files, or other matters to the duly elected successor.

#### **SECTION 10.8 Definitions**

Unless another meaning is clearly apparent from the manner in which the word is used, the following words as used in this Charter shall have the following meanings:

(A) Charter: The word "charter" shall mean this Charter and any amendments to it made through any of the methods provided under RSA 49-B.

(B) Days: The word "days" shall refer to calendar days.

(C) Emergency: The word "emergency" shall mean a sudden, unexpected, unforeseen happening, occurrence or condition which necessitates immediate action.

(D) Initiative Measure: The words "initiative measure" shall mean a measure proposed by initiative procedures under this Charter, but excluding:

1. Matters relative to the organization or operation of the Town Council;

4. An emergency measure passed in conformity with this Charter;
3. The Town budget;
4. Tax anticipation notes;
5. An appropriation for the payment of the Town debts or obligations;
6. Any appropriation of funds necessary to implement a duly adopted collective bargaining agreement;
7. Any proceeding, or part thereof, relating to the election, employment, appointment, suspension, transfer, demotion, removal or discharge of any Town officer or employee;
8. Any proceeding repealing or rescinding a measure, or a part thereof, which is protested by referendum procedures.

(E) Majority Vote: Unless otherwise expressly provided, the words "majority vote" shall mean a majority of those present and voting with a quorum of the body present.

(F) Measure: The word "measure" refers to a specific act or proposal. The specific act or proposal may be a resolution, an ordinance, a referendum vote to be taken, or other proposed action, depending on the matter to be acted on.

(G) Multiple Member Body: The words "multiple member body" shall mean any body consisting of two or more persons, whether elected, appointed, or otherwise constituted.

(H) Number and Gender: The singular number may be extended and applied to several persons or things; words imparting the plural number may include the singular; words imparting the masculine gender shall include the feminine gender; and words imparting the feminine gender shall include the masculine gender.

(I) Referendum Measure: The words "referendum measure" shall mean:

1. A measure protested by referendum procedures under this Charter, including a specific item in the Town budget,

but excluding items 1 through 7 listed in the definition (E) Initiative Measures, or;

2. Any proceeding of the Town Council providing for the submission or referral of a matter to the voters at an election.

(J) Town: The word "Town" shall mean the "Town of Derry."

(K) Agency: The words "Town Agency" shall mean any board, commission, committee, department, or office of the Town government.

(L) Voters: The word "voters" shall mean registered voters of the Town of Derry.

## **ARTICLE 11 TRANSITIONAL PROVISIONS**

### **SECTION 11.1 Continuation of Government**

All members of the Town government, elected or appointed, except those abolished by this Charter, shall continue to perform their duties until the expiration of their current term, and until successors to their respective positions are duly appointed, elected and qualified, or their duties have been transferred. The Town Council shall take whatever measures are necessary to effectuate an orderly transition and shall take whatever actions are necessary to enable such transitions in office to comply with the provisions of this Charter.

### **SECTION 11.2 Continuation and Compensation of Personnel; Abolition of Office of Mayor**

(A) Until expressly changed after the effective date of this Charter, the compensation of all officers and employees of the Town shall be the same as in effect June 30, 1993.

(B) Any person holding an office or position in the service of the Town, or any person serving in the employment of the Town, shall retain such office or position and shall continue to perform



the duties thereof unless or until provisions shall have been made in accordance with this Charter for the performance of such duties by another person or agency. No person in the permanent full-time service of employment of the Town shall forfeit pay grade or time in service by reason of such transfer. All such persons shall be retained in capacities as similar to their former capacities as is practical.

(C) The office of Mayor shall be abolished as of the effective date of this Charter. The present incumbent shall become a Councilor-at-large, and shall have all privileges, rights and access to information as any Councilor, and shall serve until the expiration of the elected term, March 9, 1995.

(D) The Administrator, responsible to the Mayor for the administration of all Town affairs placed in the Administrator's charge under the former Charter, shall, upon the effective date of this Charter, serve under the direction and supervision of the Town Council. Any prior agreement for employment of the Administrator, express or implied, shall terminate upon the effective date of this Charter. A new agreement for employment may be approved by the Town Council under the provisions of this Charter.

### **SECTION 11.3 Council Salaries**

The salary to be paid each Town Councilor shall, as of July 1, 1993, not exceed \$2500.00 per annum. In addition to this sum, the Chairman of the Town Council shall receive an additional sum of \$1500.00. Such salaries shall continue until changed by the Town Council pursuant to Section 5.8 of this Charter.

### **SECTION 11.4 Transfer of Records and Property**

As of the effective date of this Charter, all records, property and equipment of any Town agency, the powers and duties of which are assigned in whole or part to another Town agency, shall be transferred to the Town agency to which such powers and duties are assigned.



**SECTION 11.5 Effective Date**

This Charter shall take effect July 1, 1993, except as otherwise provided. Prior to that date, the Town Council shall prepare for transition to the form of government established by this Charter.

the Commission shall have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions.

(12) The Commission shall have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions.

(13) The Commission shall have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions.

#### ARTICLE 12. THE COMMISSION

The Commission shall be composed of five members, three of whom shall be appointed by the State and two by the Commission. The Commission shall have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions.

#### ARTICLE 13. THE COMMISSION'S FUNCTIONS

The Commission shall have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions. The Commission shall also have the right to request the State to provide information and documents necessary for the Commission to carry out its functions.







